

RAZTEC ASSOCIATES, INC

Civil Engineers

Land Planners

3309 Damascus Road-Parcel 150 PRELIMINARY PLAN JUSTIFICATION STATEMENT

I. INTRODUCTION

On behalf of our client, the applicant, David Mamana, we hereby submit this justification statement for the property located at 3309 Damascus Road, known as Parcel 150, which is approximately 31.57 acres in size. The property is approximately 2,644 feet northwest of the intersection of New Hampshire Avenue and Georgia Avenue. The property is zoned AR, as described in Division 2.1, 3.1, 3.5, 1nd 4.2 of the Montgomery Code.

Page | 1

II. EXISTING CONDITIONS

The property is currently used for a Landscape Contracting business. The site is currently improved with four existing Pole Barns, and existing gravel access road, and parking areas. All the existing improvements cover approximately 11,348 square feet of building area, and 111,512 square feet of other paved areas, which include gravel access drive, gravel parking areas, storage bay areas, and miscellaneous sidewalks. Approximately 2.81 acres of the site is covered by forest area, as well as other existing environmental features. The site is located within the Patuxent-Upper Hawlings River watershed.

Neighboring properties located to the south of the subject property are also zoned residential, R-200. These properties are currently improved with single family dwelling units. Other neighboring property are situated is the AR zone.

III. PROPOSED PRELIMINARY PLAN

The applicant proposes to record the property as a single lot. The intention of this recordation is to bring the property in compliance to accommodate all the existing improvements.

Several approvals have already been achieved for this site, as follows;

- Approval of a NRI/FSD Plan.
- Approval of a Forest Conservation Plan
- Approval of an Impervious Cover Plan.

Furthermore, several plans have been prepared and are close to approval through Department of Permitting Services (DPS), as follows;

- Erosion and Sediment Control and Final Stormwater Management Plans.

The project proposes to meet the required stormwater management regulations of Montgomery County, and the State of Maryland, by fully providing ESDv to MEP measures, through the use of micro-practices, and by developing the site with special attention to the existing environmental features of the site. This is

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accomplished by maintaining as much of the existing forest stands as possible, and by placing additional areas within proposed forest conservation areas, and by maintaining stream buffers to the extent possible.

Furthermore several ESD devices have been proposed and are part of the plans already in review with DPS. These include three Raingardens, and three Landscape Infiltration Trenches, and three Drywells. The impervious areas from existing improvements will all be attenuated by the proposed ESDv features.

Page | 2

- Well and Septic Plan

IV. Division 50.4 Preliminary Plan

Section 4.1.A. Application and fee

1. Preliminary plan, supporting information and fee are hereby submitted for review.
2. The subject property is owned by the applicant.
3. N/A.

Section 4.1.B- The drawing

Items 1-7 are provided on the plan, as follows;

1. Drawing scale is 1" = 50'
2. Title block is provided with required information.
3. Certificate of engineer is provided.
4. Location and names of abutting and confronting subdivisions, and required information is shown on the preliminary plan.
5. Relevant easement are shown. There are no relevant scenic vistas designated by the Rustic Roads Plan, or designated historic resources.
6. Vicinity map is provided on the cover sheet.
7. Graphic presentation of subdivision is provided, with items a-k shown.

Section 4.1.C.- Supporting Information

1. An Approved Natural Resource Inventory/Forest Stand Delineation

An approved NRI/FSD has been obtained.

2. A preliminary forest conservation plan or forest conservation exemption.

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A final forest conservation plan was previously approved as part of the special exception process.

3. Verification from the county and other applicable agencies showing payment of any required fees in connection with the county's review process.

Page | 3

Application and fees are already filed with DPS for sediment control, and well and septic.

4 . Road grade and road profile. -N/A

This section is not applicable to this application.

5. Storm drainage capacity and impact analysis.- N/A

The site does not drain to any existing public storm drain systems.

6. Sight distance evaluation. N/A

The site is accessed from route 650, through an existing private drive access point.

7. Hydraulic Planning Analysis- N/A

The site will be served by private well and septic systems.

8. a.-f. Well and Septic Systems.

The preliminary plan shows all the requirements for well and septic, as shown on the Septic Site Plan that has been filed with DPS, and pending final approval.

9. Phasing Schedule- N/A

No phasing is proposed.

10. Transfer of Development Rights- N/A

Proposed plan does not require any TDR's.

11. Draft Traffic Mitigation Agreement.-N/A.

Proposed plan is below

12. Encumbrance-N/A

There are no known encumbrances within the scope of this project.

Section 4.2. Approval Procedure

Page | 4

D. Required Findings.

1. The plan proposes to record the property as one lot. The requirements of chapter 59 are met.

2. Master plan Requirements;

The property is subject of the 2005 Olney Master plan, and is situated in the northern Olney portion of the master plan. This area consists mostly of land located in the agricultural zone (AR), formerly the RDT zone as identified by the master plan. The recommendation of the master plan is to keep the rural nature of this area. There is no specific recommendation for this property.

Environmental;

The site is within the Patuxent River-Hawlings River watershed, therefore it is subject to the recommendations of the master plan calling for preservation of forest areas, stream buffer, and wetlands. The subject property has 2.81 acres of forest cover which will be retained. Furthermore, an additional 3.51 acres has been subject of afforestation. The subject development proposes to maintain the existing environmental aspects of the property including stream buffers, existing forest stands.

Water Resources;

The proposed stormwater management plan for the subject property accomplishes the goals of the master plan by proposing to provide nine separate ESDv devices which include landscape infiltration, rain gardens, and drywells.

Stream Management Strategy;

The goals of the master plan to protect forested areas, the Patuxent River watershed, and the PMA zone have been achieved. The existing forest of 2.81 acres will remain forested, and afforestation of 3.51 acres is added. Furthermore the 1/8 mile PMA transition zone will be protected, by keeping the impervious coverage at at 6.52%, well below the 10% cap.

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Transportation;

In terms of the Transportation Plan, this site is fronted by Md. Route 650, which is a country arterial road. The master plan call for a eight foot right of way with two lanes. Since no additional development is proposed at this site, there will be no negative or adverse impacts on route 650.

Page | 5

3. public facilities will be adequate to support and service the area of the subdivision;

(1) Roads and Public Transportation.

(2) Sewerage and Water Service

Well and septic approval is sought by the applicant. Design plans have been reviewed and are close to final approval.

(3) Public Schools- N/A. No new housing is proposed.

(4) Police Stations, Fires houses, and Health Clinics

All services are in relative close proximity to this proposed project.

4. all Forest Conservation Law, Chapter 22A requirements are satisfied;

A forest conservation plan in compliance to chapter 22 has been prepared and has been approved by MNCPPC. The plan has been updated to reflect additional stormwater management requirements.

5. all stormwater management , water quality plan, and floodplain requirements of Chapter 19 are satisfied;

This property is situated within the Patuxent-Hawlings River watershed, and is subject to a 10% impervious cap, within the PMA transition zone. The total site has an imperviousness of 10.28%, however, the impervious cover within the PMA transition zone is 6.52%. As mentioned earlier, the stormwater management and sediment control plan has proposed nine separate ESDv devices to attenuate runoff from impervious areas, which will enhance the water quality of the site.

50-4.2 (G)(2)(a)(ii)

A determination of adequate public facilities made under this Chapter is timely and remains valid:

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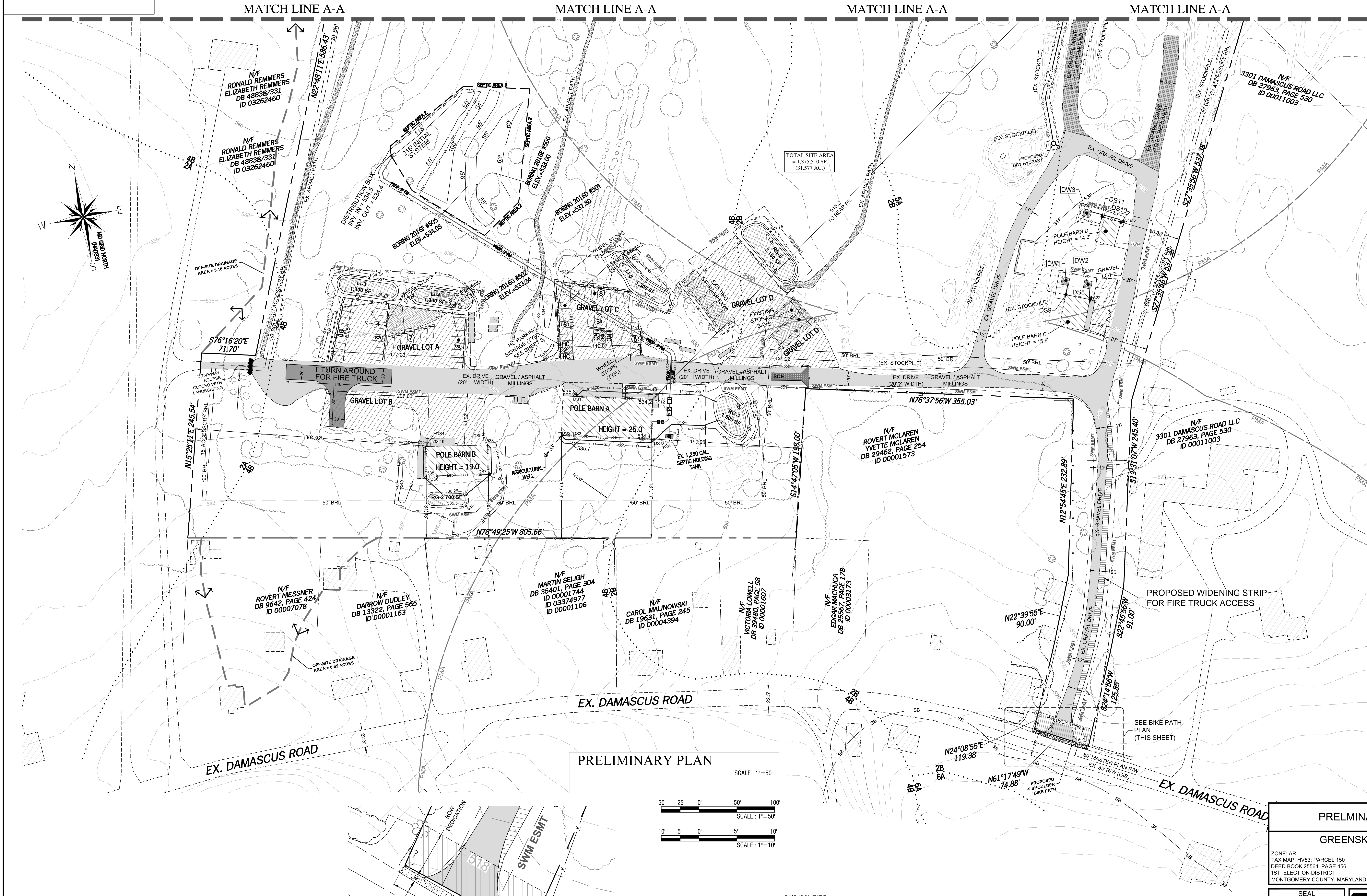
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A Preliminary Plan approved after March 31, 2017 remains valid for 36 months after its initiation date.

V. CONCLUSION

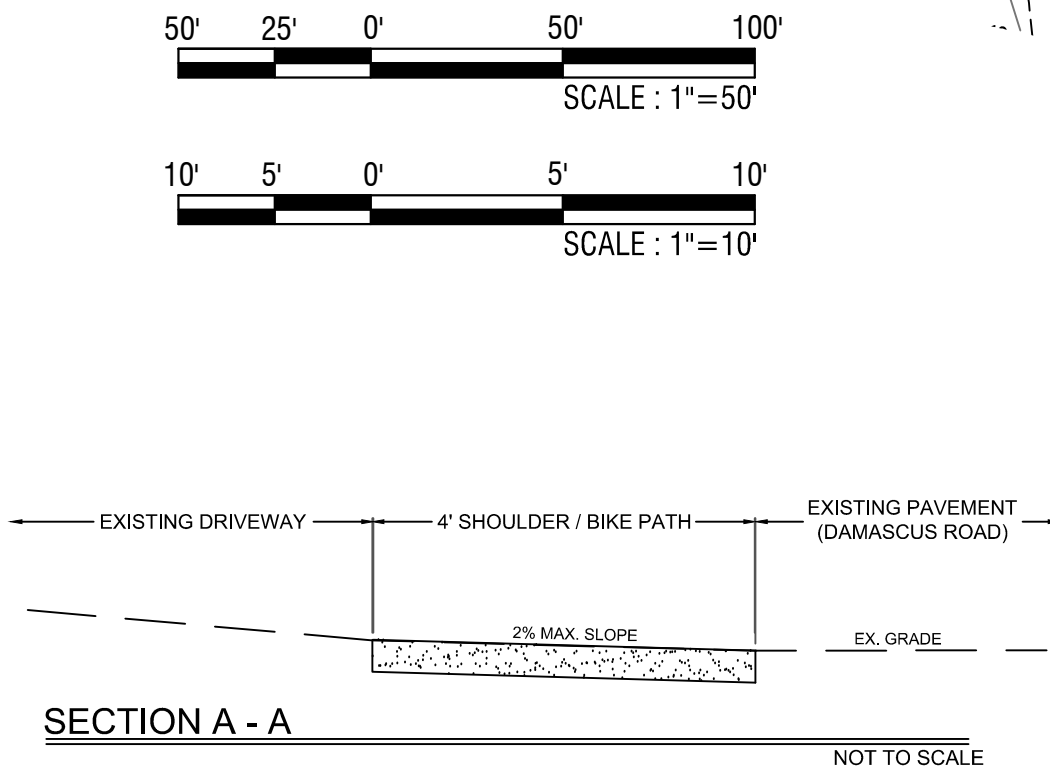
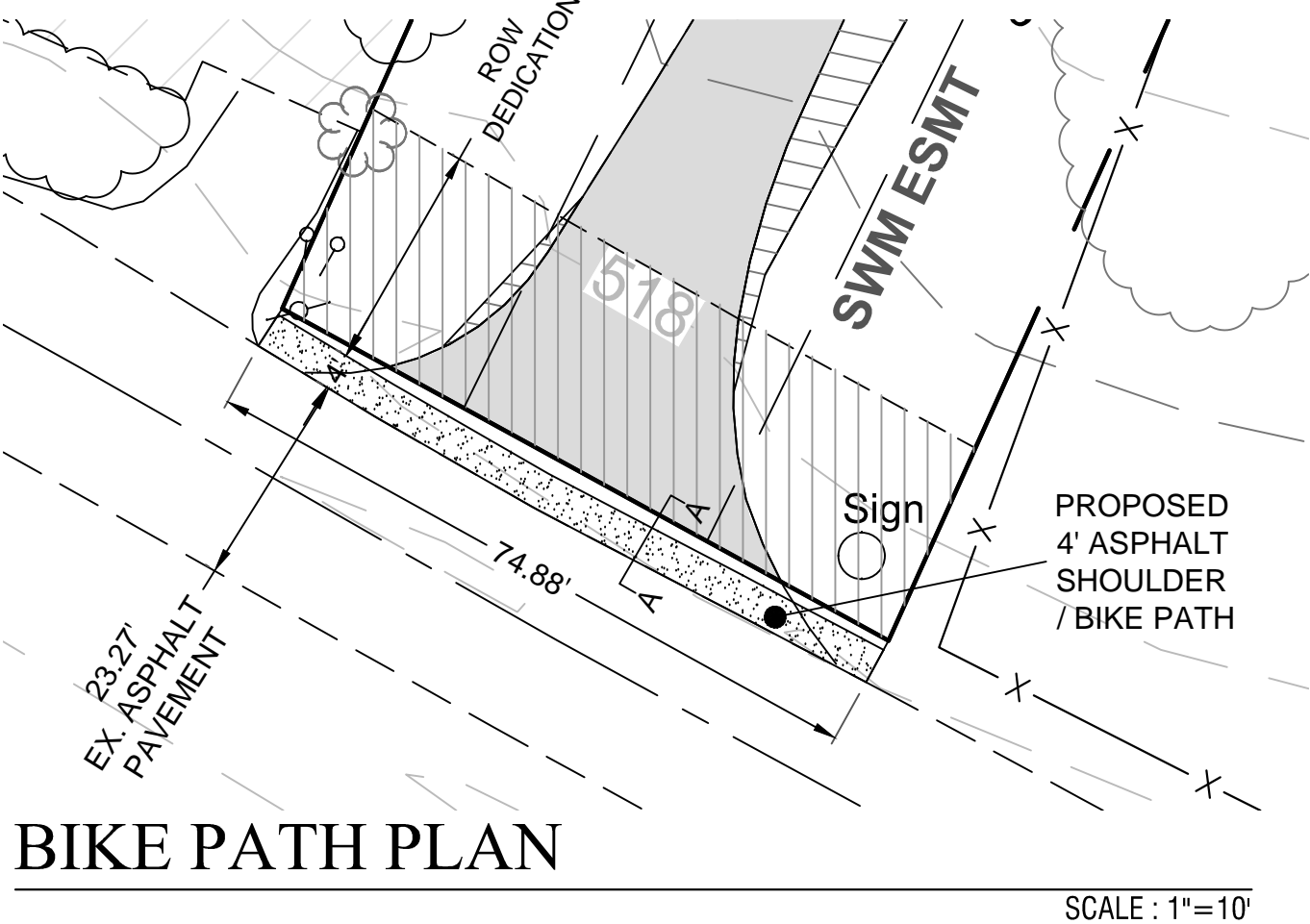
Page | 6

Based on the justification provided herein, the applicant requests that the Planning Board grant approval of this Preliminary Plan. The plan prepared and presented with this justification, as part of the Preliminary Plan Application, satisfies the requirements that the Planning Board will consider and act upon as part of the approval of this application.



SITE PLAN LEGEND	
EXISTING FEATURE	SYMBOL
SUBJECT SITE BOUNDARY	---
ADJOINING PROPERTY BOUNDARY	---
EXISTING STRUCTURES	---
EXISTING CONTOURS (MINOR)	---
EXISTING CONTOURS (INDEX)	---
EXISTING SEWER LINE	---
EXISTING WATER LINE	---
EXISTING GAS LINE	---
SOIL TYPE BOUNDARY	---
EXISTING HOUSE WITHIN 200' OF SUBJECT PROPERTY	---
VEGETATION BOUNDARY	---
WETLAND BUFFER	---
STREAM BUFFER	---
EX. 1,250 GAL. SEPTIC HOLDING TANK TO BE REMOVED	---
PRIMARY MANAGEMENT AREA	---
SEPTIC FIELD TRENCH WITH ANNOTATED TRENCH LENGTHS	---
PROPOSED SEPTIC BAT TANK (SEE DETAIL (THIS SHEET))	---
PROPOSED FORCE MAIN	---
PROPOSED SEWER HOUSE CONNECTION	---
SUPER SILT FENCE	---
FOREST CONSERVATION AREA	---
AFFORESTATION AREA	---
STORMWATER MANAGEMENT EASEMENT	---

REV#	DATE



PRELIMINARY PLAN #120190110

GREENSKEEPER LANDSCAPING

ZONE: AR
TAX MAP: HV53; PARCEL 150
DEED BOOK 25564, PAGE 456
1ST ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

OWNER / APPLICANT
DAVID MAMANA
3309 DAMASCUS ROAD
GANTHERSBURG, MD 20882
PHONE: (301)622-3831

SEAL
STATE OF MARYLAND
Raztec Associates, Inc.
Professional Engineer
No. 120190110
Exp. 06/15/2022

RAZTEC ASSOCIATES, INC.
civil engineers & planners
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email: raztecengr@comcast.net

PROFESSIONALS' REVIEW STATEMENT:
I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NUMBER: 22742. EXPIRES: JUNE 15, 2022.

DRAWN BY: SL CHECKED BY: MR	DATE 10/14/2020	SCALE 1" = 50'	SHEET NUMBER 2 of 10
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SITE PLAN LEGEND	
EXISTING FEATURE	SYMBOL
SUBJECT SITE BOUNDARY	---
ADJOINING PROPERTY BOUNDARY	---
EXISTING STRUCTURES	EX
EXISTING CONTOURS (MINOR)	101
EXISTING CONTOURS (INDEX)	100
EXISTING SEWER LINE	S
EXISTING WATER LINE	W
EXISTING GAS LINE	G
SOIL TYPE BOUNDARY	Au/D Au/B
EXISTING HOUSE WITHIN 200' OF SUBJECT PROPERTY	
VEGETATION BOUNDARY	
WETLAND BUFFER	
STREAM BUFFER	
EX. 1,250 GAL. SEPTIC HOLDING TANK TO BE REMOVED	
PRIMARY MANAGEMENT AREA	PMA
SEPTIC FIELD TRENCH WITH ANNOTATED TRENCH LENGTHS (SEE SHEET 2)	
PROPOSED SEPTIC TANK	
PROPOSED FORCE MAIN	PROP. 2" FM
PROPOSED SEWER HOUSE CONNECTION	SHG
SUPER SILT FENCE	SSF
FOREST CONSERVATION AREA	
AFFORESTATION AREA	

REV#	DATE

PRELIMINARY PLAN #120190110

GREENSKEEPER LANDSCAPING

ZONE: AR
TAX MAP: HV53; PARCEL 150
DEED BOOK 25564, PAGE 456
1ST ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

OWNER / APPLICANT
DAVID MAMANA
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PHONE: (301)622-3831

SEAL
STATE OF MARYLAND
REGISTERED PROFESSIONAL ENGINEER
DAVID MAMANA
120190110

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THE STATE OF MARYLAND LICENSE NUMBER: 22742 EXPIRES: JUNE 15, 2022

DRAWN BY: SL
CHECKED BY: MR

DATE
9/2/2020

SCALE
1" = 50'

SHEET NUMBER
3 of 10

Attachment 6

SITE PLAN LEGEND	
EXISTING FEATURE	SYMBOL
SUBJECT SITE BOUNDARY	---
ADJOINING PROPERTY BOUNDARY	---
EXISTING STRUCTURES	---
EXISTING CONTOURS (MINOR)	---
EXISTING CONTOURS (INDEX)	---
EXISTING SEWER LINE	---
EXISTING WATER LINE	---
EXISTING GAS LINE	---
SOIL TYPE BOUNDARY	---
EXISTING HOUSE WITHIN 200' OF SUBJECT PROPERTY	---
VEGETATION BOUNDARY	---
* SPECIMIN TREE LOCATION (30' OR GREATER)	---
* SIGNIFICANT TREE LOCATION (24' - 29.9')	---
CENTERLINE OF EXISTING STREAM	---
WETLAND BUFFER	---
STREAM BUFFER	---
660' PMA BUFFER	---
POND	---
INTERMITTENT STREAM	---
NON-TIDAL WETLANDS	---
AREA OF FOREST CONSERVATION	---
AREA OF AFForestation	---

*SEE SHEET 3 FOR TREE TABLES

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2661 Riva Road, Building 800, Suite A
Annapolis, Maryland 21401
Phone: (301) 627-7505
info@bayenvinc.com

Plan prepared by:
David M. Mann 9-2-10
Kenneth R. Wallis
Qualified Professional
CoMar 08.19.06.01

DEVELOPER'S CERTIFICATE	
The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 120190110 including: financial bonding, forest planting, maintenance, and all other applicable agreements.	
Developer's Name:	<i>Greenkeeper Landscaping</i>
Contact Person or Owner:	<i>David M. Mann</i>
Address:	<i>3309 Damascus Road</i>
Phone and Email:	<i>(301) 627-3831</i>
Signature:	<i>David M. Mann</i>

NOTE: THIS FINAL FCP AMENDMENT 120190110 IS AMENDING FINAL FCP CU201504.

FINAL FOREST CONSERVATION PLAN AMENDMENT

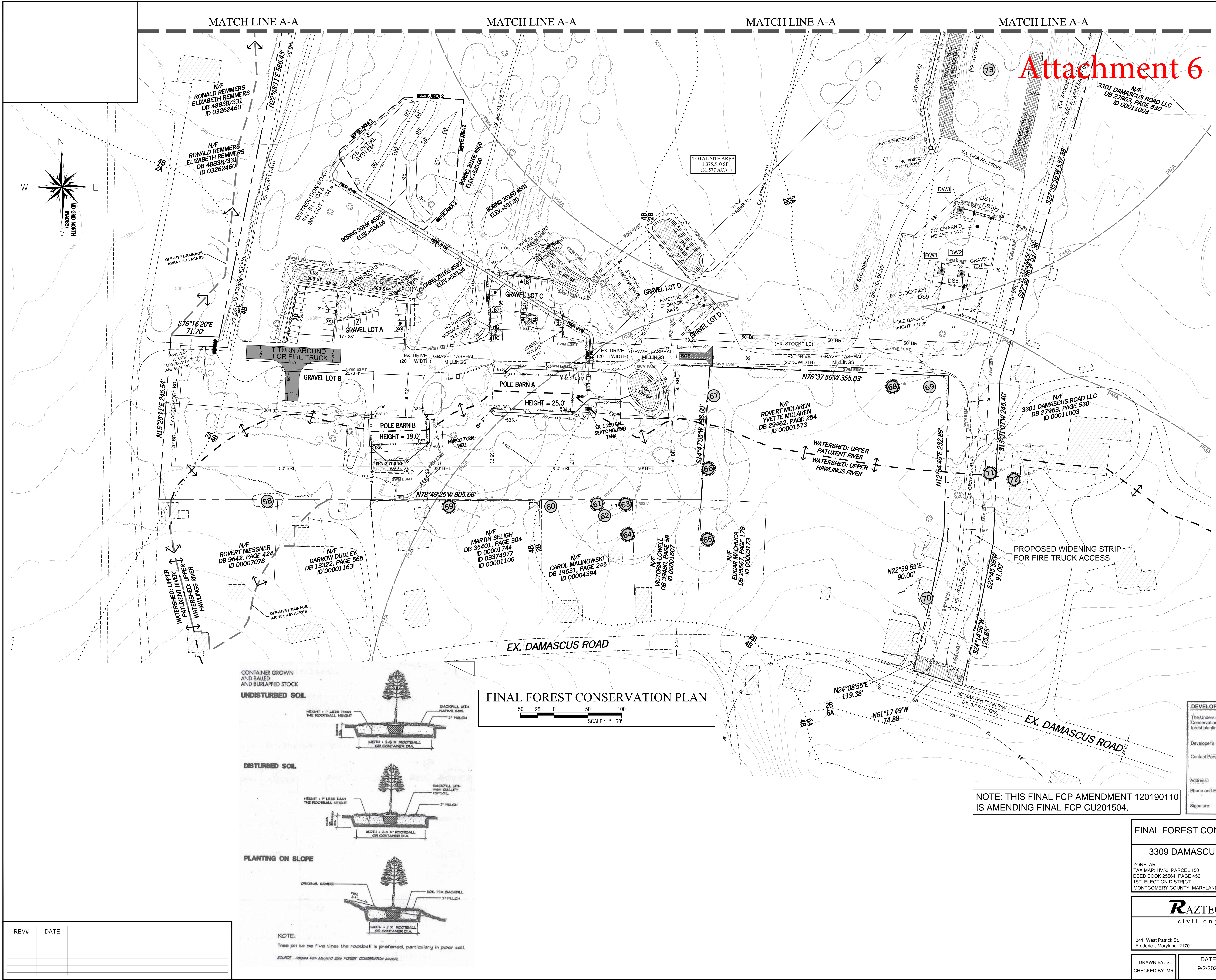
3309 DAMASCUS RD. BROOKVILLE, MD 20833

ZONE: AR	OWNER / APPLICANT
TAX MAP: HV53; PARCEL 150	DAVID MAMANA
DEED BOOK 25564, PAGE 456	3309 DAMASCUS ROAD
1ST ELECTION DISTRICT	UNITY, MD 20833
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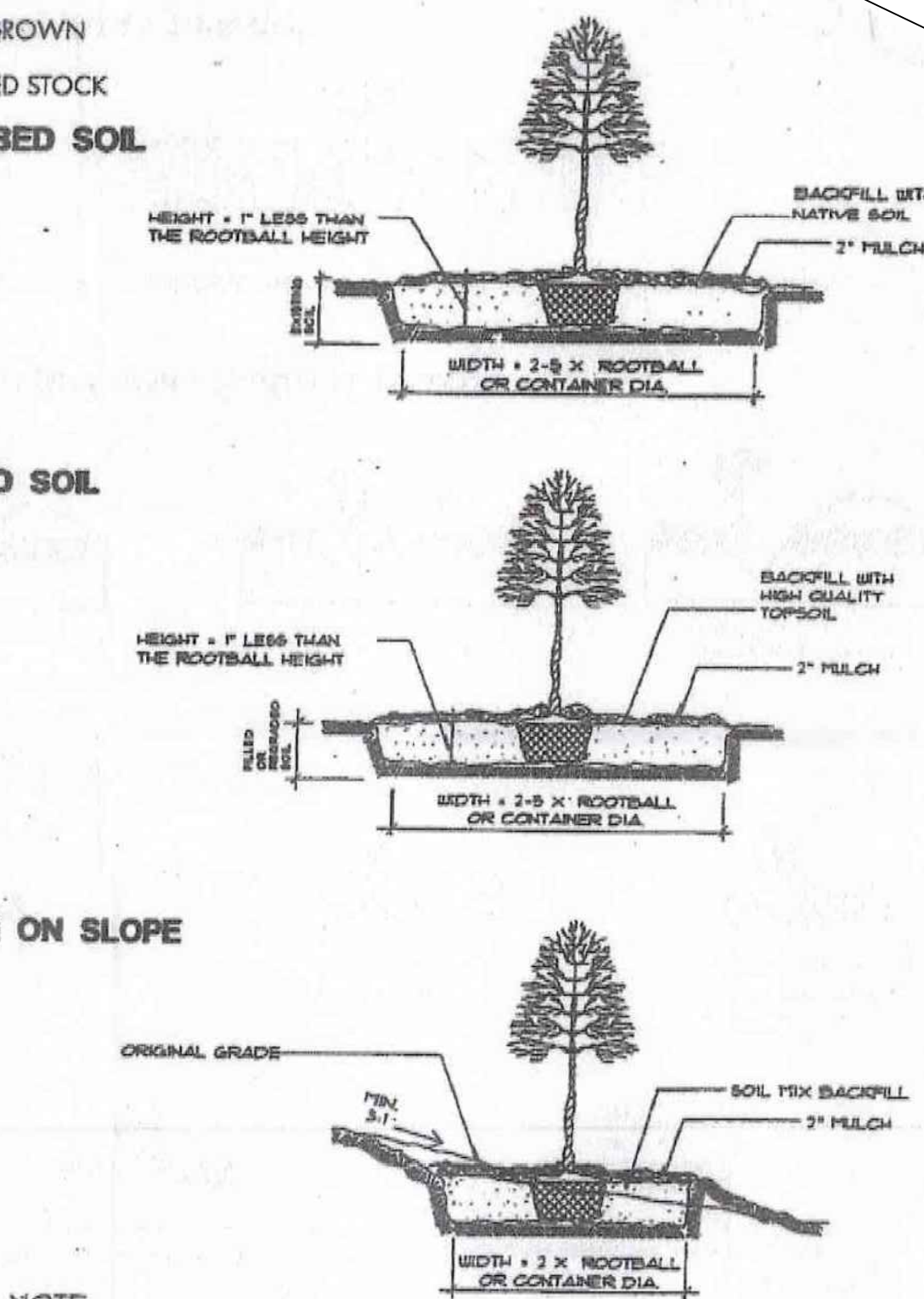
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DRAWN BY: SL	DATE	SCALE	SHEET NUMBER
CHECKED BY: MR	9/2/2020	1" = 50'	2 of 3



REV#	DATE



NOTE:
Tree pit to be five times the rootball is preferred, particularly in poor soil.
SOURCE: Adapted from Maryland State FOREST CONSERVATION MANUAL

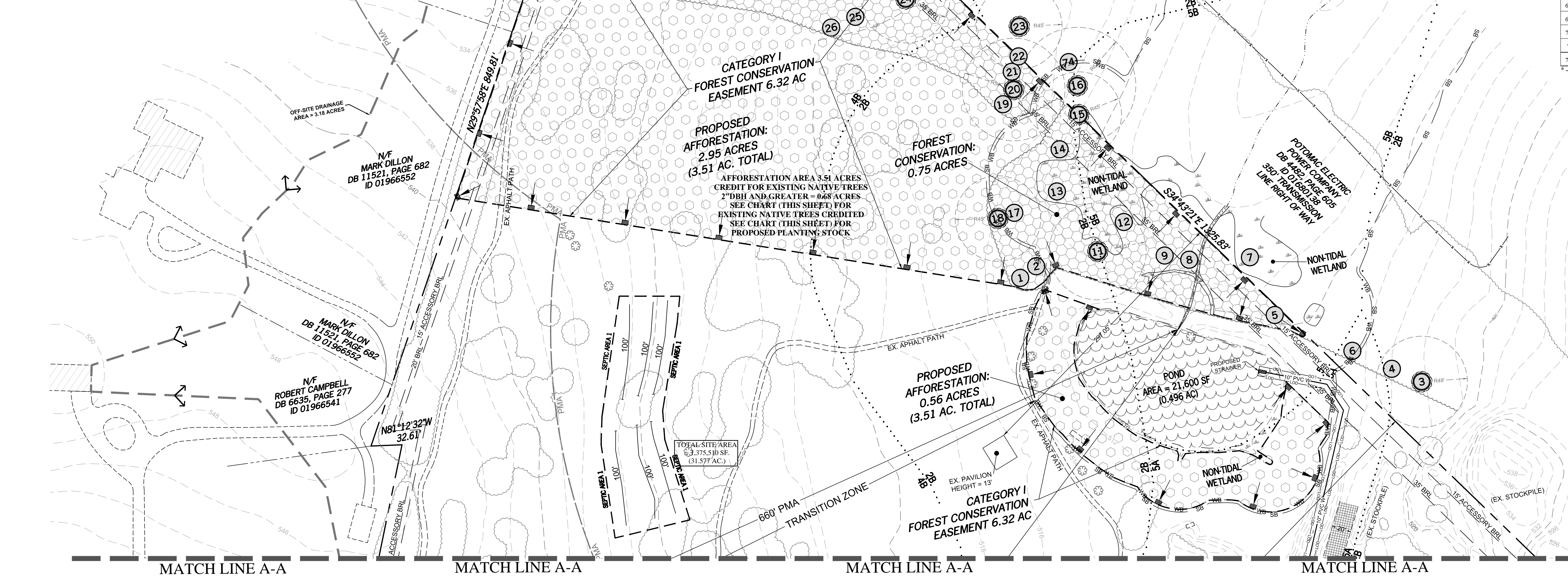
Attachment 7

SPECIMEN TREE TABLE (30-inches and greater)					
No.	Common Name	Scientific Name	DBH (inches)	Condition Rating	Condition Comments
3	pin oak	<i>Quercus palustris</i>	32	Fair	crown dieback, broken branches
11	pin oak	<i>Quercus palustris</i>	34	Good	
15	red maple	<i>Acer rubrum</i>	30	Poor	top dead
16	pin oak	<i>Quercus palustris</i>	41	Poor	severe crown dieback, vine cover
18	red maple	<i>Acer rubrum</i>	30	Poor	leaning, cavity, co-dominant leader has fallen
20	pin oak	<i>Quercus palustris</i>	36	Fair	crown dieback
23*	yellow-poplar	<i>Liriodendron tulipifera</i>	30, 30	Good	
24	northern red oak	<i>Quercus rubra</i>	31	Good	
40*	yellow-poplar	<i>Liriodendron tulipifera</i>	31	Good	
44*	yellow-poplar	<i>Liriodendron tulipifera</i>	31	Good	
48	yellow-poplar	<i>Liriodendron tulipifera</i>	46	Fair	poor crotch attachment, co-dominant leader
53	white oak	<i>Quercus alba</i>	30	Fair	lightning strike
56	white oak	<i>Quercus alba</i>	32	Fair	leaning
59*	silver maple	<i>Acer saccharinum</i>	32	Good	
61*	catalpa	<i>Catalpa speciosa</i>	39	Fair	large trunk injury
63*	silver maple	<i>Acer saccharinum</i>	55	Fair	one of the three leaders is rotted
64*	silver maple	<i>Acer saccharinum</i>	30	Fair	
65*	silver maple	<i>Acer saccharinum</i>	32	Fair	
66*	catalpa	<i>Catalpa speciosa</i>	41	Fair	
68*	yellow-poplar	<i>Liriodendron tulipifera</i>	38	Fair	
71	silver maple	<i>Acer saccharinum</i>	34	Good	
72*	silver maple	<i>Acer saccharinum</i>	35	Good	

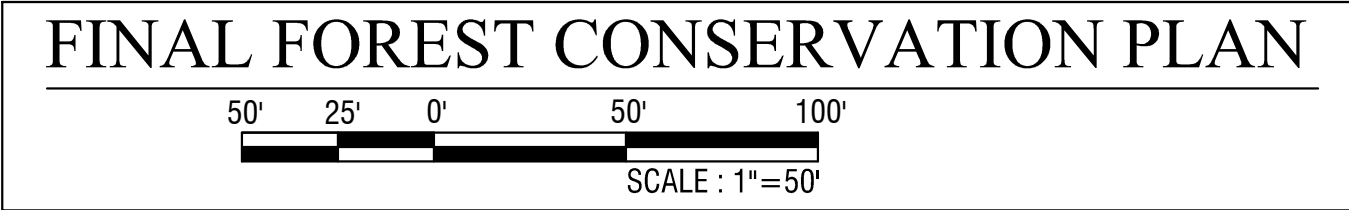
* - tree located offsite size and condition estimated

MAPPED SOIL TYPES				
Map Unit	Soil Description	Drainage Class	K-factor (whole soil)	Hydric Rating
2A	Glenelg silt loam, 0-3% slopes	Well	0.32	Predominantly Nonhydric
2B	Glenelg silt loam, 3-8% slopes	Well	0.32	Predominantly Nonhydric
4B	Elioak silt loam, 8-15% slopes	Well	0.37	Nonhydric
5A	Glenelg silt loam, 0-3% slopes	Moderately Well	0.37	Predominantly Nonhydric
5B	Glenelg silt loam, 3-8% slopes	Moderately Well	0.37	Predominantly Nonhydric

Source: <http://websoilsurvey.nrcs.usda.gov> (September 25, 2014)



REV#	DATE



PMA TRANSITION NOTE:
The PMA transition zone is variable, and is located between the edge of the stream buffer and the 1/2 mile (660') to the PMA limit.

NOTE: THIS FINAL FCP AMENDMENT 120190110 IS AMENDING FINAL FCP CU201504.

AFFORESTATION PLANT LIST			
TREES- 3.51 ACRES LESS 0.68 ACRES FOR EXISTING NATIVE TREES CREDITS (SEE AFFORESTATION CREDIT CHART)			
Botanical Name	Common Name	Size Class	Count
<i>Juniperus virginiana</i>	eastern red cedar	1/4-1"	80
<i>Liquidambar styraciflua</i>	sweetgum	1/4-1"	81
<i>Nyssa sylvatica</i>	black gum	1/4-1"	81
<i>Platanus occidentalis</i>	sycamore	1/4-1"	81
<i>Quercus alba</i>	white oak	1/4-1"	81
<i>Quercus phellos</i>	willow oak	1/4-1"	81
<i>Quercus palustris</i>	pin oak	1/4-1"	81
TOTAL TREES			566
REQUIRED TREE PLANTING IS 2.83 ACRES 2.83 x 200 = 566 TREES			
SHRUBS- 3.51 ACRES, NO EXISTING NATIVE SHRUBS CREDITED			
Botanical Name	Common Name	Size Class	Count
<i>Asimina triloba</i>	paw paw	18-24 in	38
<i>Hamamelis virginiana</i>	common witchhazel	18-24 in	39
<i>Rhus typhina</i>	staghorn sumac	18-24 in	39
TOTAL SHRUBS			116
REQUIRED SHRUB PLANTING IS 3.51 ACRES 3.51 x 33 = 116 SHRUBS			
NOTE: In the event that plant material listed above is not available, substitutions will be made using native plant material with similar characteristics. No <i>Fraxinus</i> (Ash) will be used as a substitution.*			
*SUBSTITUTIONS REQUIRE M-NCPFC FOREST CONSERVATION INSPECTOR'S APPROVAL			

NOTE: This symbol represents a proposed forest conservation sign location (arrow indicates direction of facing). See Detail on sheet 1 for installation instructions.

EXISTING FEATURE	SYMBOL
SUBJECT SITE BOUNDARY	---
ADJOINING PROPERTY BOUNDARY	---
EXISTING STRUCTURES	EX
EXISTING CONTOURS (MINOR)	101
EXISTING CONTOURS (INDEX)	100
EXISTING SEWER LINE	S
EXISTING WATER LINE	W
EXISTING GAS LINE	G
SOIL TYPE BOUNDARY	AuB
EXISTING HOUSE WITHIN 200' OF SUBJECT PROPERTY	---
VEGETATION BOUNDARY	---
* SPECIMIN TREE LOCATION (30" OR GREATER)	58
* SIGNIFICANT TREE LOCATION (24" - 29.9")	59
CENTERLINE OF EXISTING STREAM	WB
WETLAND BUFFER	WB
STREAM BUFFER	WB
660' PMA BUFFER	PMA
POND	P
INTERMITTENT STREAM	IS
NON-TIDAL WETLANDS	NTW
AREA OF FOREST CONSERVATION	FC
AREA OF AFFORESTATION	AF

EXISTING NATIVE TREES CREDITED TOWARD AFFORESTATION PLANTING STOCKING REQUIREMENTS		
BOTANICAL NAME	COMMON NAME	COUNT
<i>Acer rubrum</i>	red maple	11
<i>Acer saccharinum</i>	sugar maple	10
<i>Juglans cinerea</i>	butternut	1
<i>Juniperus virginiana</i>	eastern red cedars	3
<i>Liriodendron tulipifera</i>	tulip tree	1
<i>Morus coronaria</i>	native crabapple	21
<i>Prunus serotina</i>	black cherry	5
<i>Quercus alba</i>	white oak	3
<i>Quercus coccinea</i>	scarlet oak	1
<i>Quercus palustris</i>	pin oak	5
<i>Quercus phellos</i>	willow oak	2
<i>Quercus rubra</i>	northern red oak	4
<i>Robinia pseudoacacia</i>	black locust	1
TOTAL TREES:		68
TREES CREDITED ARE AT LEAST 2 INCH CALIPER AND IN GOOD HEALTH. EXISTING TREES EQUAL 0.68 ACRES AFFORESTATION		

TREE TABLE (24-29.9 inches)					
No.	Common Name	Scientific Name	DBH (inches)	Condition Rating	Condition Comments
1	red maple	<i>Acer rubrum</i>	25	Fair	cavity, leaning heavily
2	pin oak	<i>Quercus palustris</i>	26	Fair	crown dieback
4	American sycamore	<i>Platanus occidentalis</i>	27	Fair	crown dieback, heavy vine cover, cavity
5	pin oak	<i>Quercus palustris</i>	29	Fair	crown dieback
6	American sycamore	<i>Platanus occidentalis</i>	27	Fair	
7	pin oak	<i>Quercus palustris</i>	24	Fair	crown dieback, dead branches
8	yellow-poplar	<i>Liriodendron tulipifera</i>	25	Fair	cavity, leaning
9	American sycamore	<i>Platanus occidentalis</i>	27	Fair	
10	red maple	<i>Acer rubrum</i>	28	Good	vine cover
12	catalpa	<i>Catalpa speciosa</i>	28	Poor	severe crown dieback, bark missing
13	pin oak	<i>Quercus palustris</i>	25	Good	
14	red maple	<i>Acer rubrum</i>	24	Fair	co-dominant leader
17	yellow-poplar	<i>Liriodendron tulipifera</i>	24	Fair	vine cover, poor form
19	red maple	<i>Acer rubrum</i>	24	Fair	leaning, co-dominant leader
21	white oak	<i>Quercus alba</i>	27	Good	
22	white oak	<i>Quercus alba</i>	24	Good	
25	northern red oak	<i>Quercus rubra</i>	24	Good	
26	mockemut hickory	<i>Carya tomentosa</i>	24	Good	
27	mockemut hickory	<i>Carya tomentosa</i>	25	Good	
28	black oak	<i>Quercus velutina</i>	29	Fair	cavity in trunk
29	yellow-poplar	<i>Liriodendron tulipifera</i>	24	Good	
30	yellow-poplar	<i>Liriodendron tulipifera</i>	24	Good	
31	mockemut hickory	<i>Carya tomentosa</i>	24	Good	
32	white oak	<i>Quercus alba</i>	25	Fair	leaning, swollen trunk base
33	black oak	<i>Quercus velutina</i>	28	Fair	
34	white oak	<i>Quercus alba</i>	25	Good	crown dieback
35	black oak	<i>Quercus velutina</i>	25	Good	crown dieback
36	black oak	<i>Quercus velutina</i>	28	Fair	crown dieback
37	black oak	<i>Quercus velutina</i>	28	Good	
38	yellow-poplar	<i>Liriodendron tulipifera</i>	24	Good	
39	white oak	<i>Quercus alba</i>	28	Good	
41	yellow-poplar	<i>Liriodendron tulipifera</i>	24	Good	
42	yellow-poplar	<i>Liriodendron tulipifera</i>	24	Good	
43	yellow-poplar	<i>Liriodendron tulipifera</i>	24	Fair	
45	yellow-poplar	<i>Liriodendron tulipifera</i>	24	Fair	co-dominant leader
46	black walnut	<i>Juglans nigra</i>	28	Fair	severe lean
47	white oak	<i>Quercus alba</i>	25	Fair	crown tangled with tree #46
49	black gum	<i>Nyssa sylvatica</i>	27	Good	
50	black oak	<i>Quercus velutina</i>	26	Fair	
51	yellow-poplar	<i>Liriodendron tulipifera</i>	24	Fair	poor form
52	black oak	<i>Quercus velutina</i>	28	Good	
54	black gum	<i>Nyssa sylvatica</i>	24	Vary poor	large cavity in trunk
55	white oak	<i>Quercus alba</i>	27	Fair	vine cover, poor form
57	white oak	<i>Quercus alba</i>	24	Fair	leaning, crown dieback
58*	silver maple	<i>Acer saccharinum</i>	25	Fair	leaning
60*	eastern red cedar	<i>Juniperus virginiana</i>	27	Good	
62*	black walnut	<i>Juglans nigra</i>	29	Good	
67*	catalpa	<i>Catalpa speciosa</i>	29	Fair	leaning
69*	mockemut hickory	<i>Carya tomentosa</i>	26	Fair	
70*	Norway spruce	<i>Picea abies</i>	26	Good	
73	eastern tamarack	<i>Larix laricina</i>	24	Fair	vine cover
74*	red maple	<i>Acer rubrum</i>	26	Poor	majority of crown has fallen

* - tree located offsite size and condition estimated

BAI ENVIRONMENTAL, INC.
2661 Riva Road, Building 800, Suite A
Annapolis, Maryland 21401
Phone: (301) 627-7505
info@bayenvinc.com

Plan prepared by:
Kenneth R. Wallis
9-2-10
Kenneth R. Wallis
Qualified Professional
Co-Mor 08.19.06.01

DEVELOPER'S CERTIFICATE
The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 120190110 including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: *Greenkeeper Landscaping*
Printed Company Name

Contact Person or Owner: *David Maman*
Printed Name

Address: *3309 Damascus Road*
Phone and Email: *(301) 622-5351*

Signature: *David Maman*

FINAL FOREST CONSERVATION PLAN AMENDMENT / NOTES AND DETAILS

3309 DAMASCUS RD. BROOKVILLE, MD 20833

ZONE: AR
TAX MAP: HV53; PARCEL 150
DEED BOOK 25564, PAGE 456
1ST ELECTION DISTRICT:
MONTGOMERY COUNTY, MARYLAND

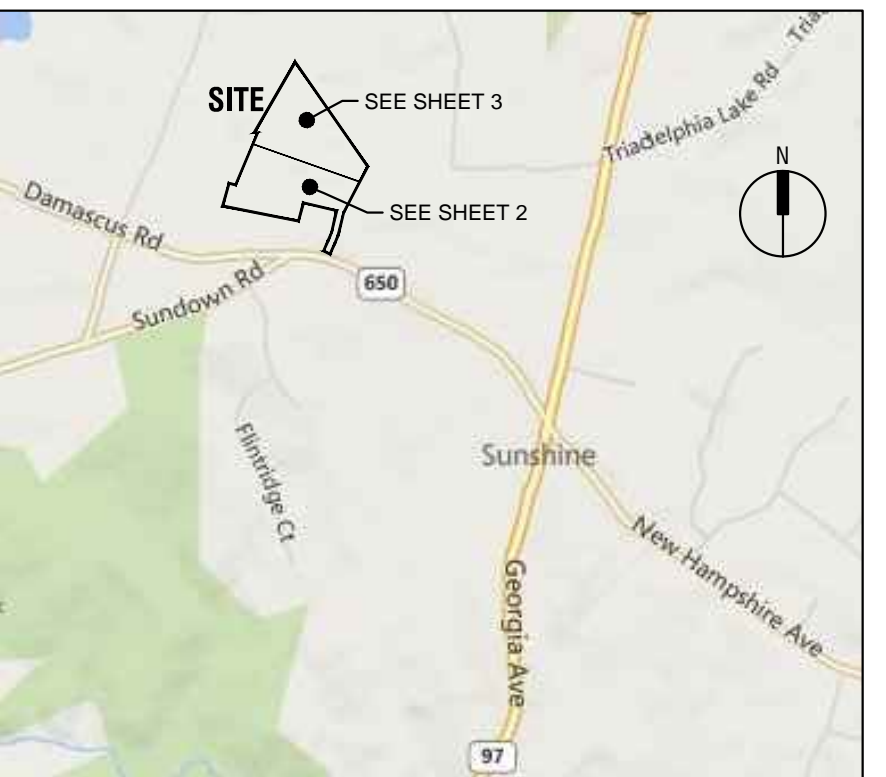
OWNER / APPLICANT
DAVID MAMANA
3309 DAMASCUS ROAD
UNITS, MD 20833
PHONE: (301) 622-3831

RAZTEC ASSOCIATES, INC.
civil engineers & planners

341 West Patrick St.
Frederick, Maryland 21701
Tel (301) 775-4394
email: raztecengr@comcast.net

DRAWN BY: SL
CHECKED BY: MR
DATE
9/2/2020
SCALE
1" = 50'
SHEET NUMBER
3 of 3

Attachment 8

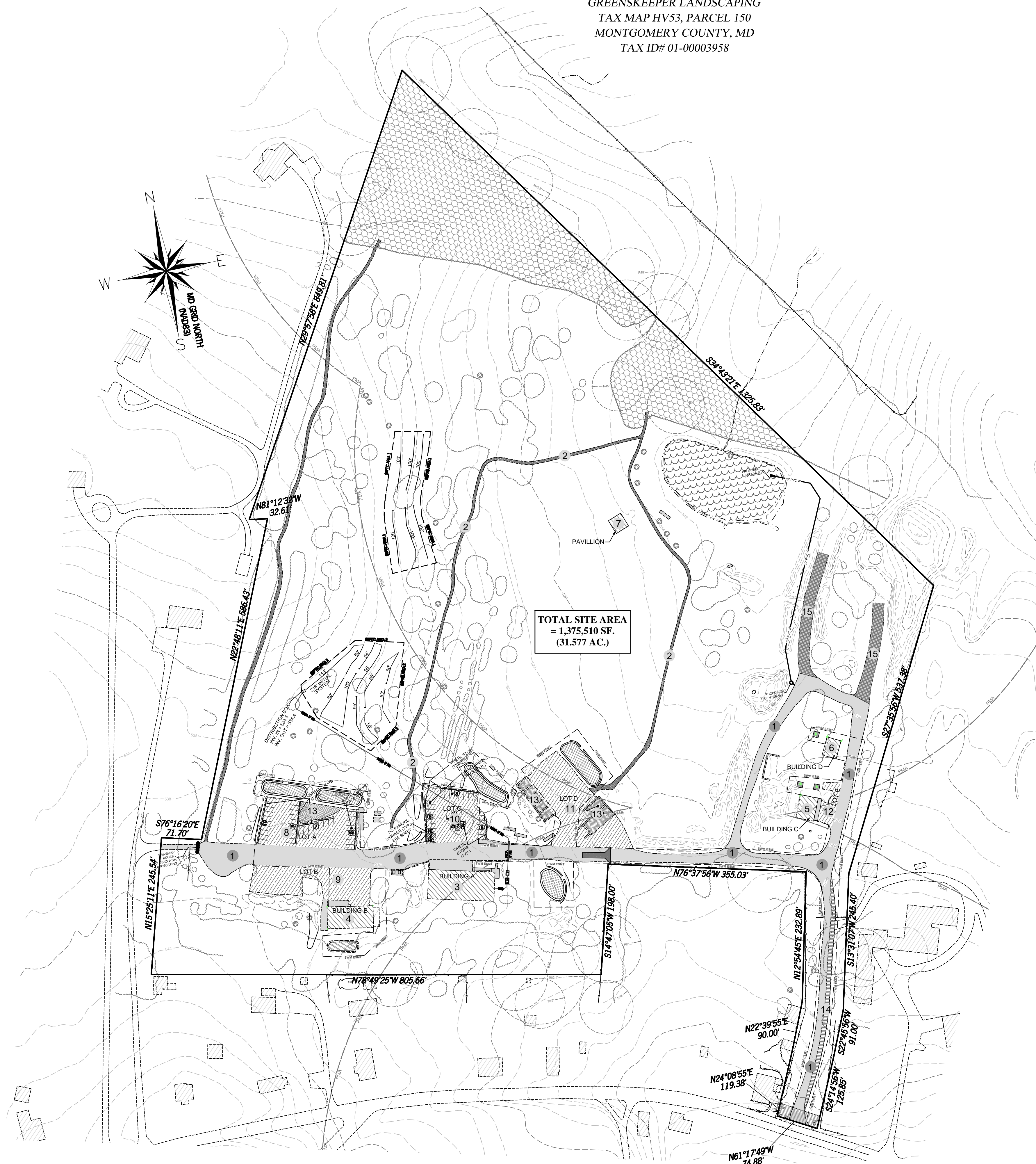
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SCALE : 1"=2000'

















SHEET INDEX :

1. COVER SHEET / COMPOSITE PLAN
2. IMPERVIOUS AREA PLAN
3. IMPERVIOUS AREA PLAN

IMPERVIOUS AREA PLAN

FOR:
GREENSKEEPER LANDSCAPING
TAX MAP HV53, PARCEL 150
MONTGOMERY COUNTY, MD
TAX ID# 01-00003958



IMPERVIOUS AREA LEGEND / AREA TABLE			
SYMBOL	DESCRIPTION	IMPERVIOUS AREA ON-SITE	IMPERVIOUS AREA IN PMA TRANSITION ZONE
	GRAVEL DRIVEWAY TO REMAIN	53,949 Square Feet	31,616 Square Feet
	ASPHALT PATH	14,478 Square Feet	8,086 Square Feet
	POLE BARN "A"	6,265 Square Feet	3,167 Square Feet
	POLE BARN "B"	2,116 Square Feet	NOT IN PMA
	POLE BARN "C"	1,344 Square Feet	797 Square Feet
	POLE BARN "D"	884 Square Feet	884 Square Feet
	PAVILION	700 Square Feet	700 Square Feet
	GRAVEL LOT A	11,900 Square Feet	NOT IN PMA
	GRAVEL LOT B	10,852 Square Feet	NOT IN PMA
	GRAVEL LOT C	10,159 Square Feet	NOT IN PMA
	GRAVEL LOT D	14,532 Square Feet	8,540 Square Feet
	GRAVEL LOT E	1,870 Square Feet	792 Square Feet
	STORAGE BAYS	4,000 Square Feet	2,383 Square Feet
	DRIVEWAY WIDENING (PROPOSED)	3,000 Square Feet	3,000 Square Feet
	MISC. CONCRETE PATHS, WALKS & OBJECTS	4,250 Square Feet	810 Square Feet
	GRAVEL DRIVEWAY TO BE REMOVED	8,190 Square Feet	8,190 Square Feet
TOTAL SITE AREA: 1,375,510 Square Feet			
TOTAL EXISTING IMPERVIOUS AREA ON-SITE: 148,344 Square Feet			
NEW IMPERVIOUS AREA: 3,000 Square Feet			
EXISTING IMPERVIOUS AREA TO BE REMOVED: 8,190 Square Feet			
TOTAL IMPERVIOUS AREA: 143,154 Square Feet			
TOTAL SITE IMPERVIOUSNESS: 0.41%			
TOTAL AREA OF PMA TRANSITION ZONE ON-SITE: 912,438 Square Feet			
TOTAL EXISTING IMPERVIOUS AREA WITHIN PMA TRANSITION ZONE: 64,649 Square Feet			
EXISTING IMPERVIOUS AREA TO BE REMOVED WITHIN PMA TRANSITION ZONE: 8,190 Square Feet			
NEW IMPERVIOUS AREA WITHIN PMA TRANSITION ZONE: 3,000 Square Feet			
TOTAL SITE IMPERVIOUS AREA IN PMA ZONE: 59,459 Square Feet			
PERCENT OF AREA THAT IS IMPERVIOUS: 6.52%			

NOTES:
 1) IMPERVIOUS AREAS FOR POLE BARNS INCLUDE ROOF OVERHANGS.

COMPOSITE SITE PLAN
SEE SHEETS 2 & 3 FOR IMPERVIOUS AREA PLAN
SCALE : 1"=100'



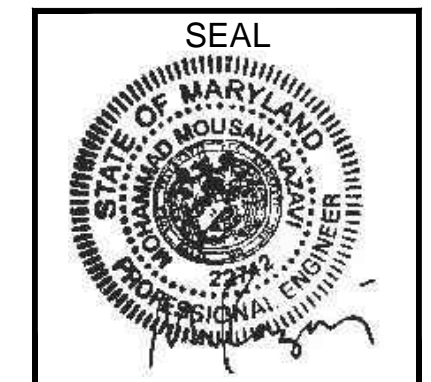
REV#	DATE

COVER SHEET

GREENSKEEPER LANDSCAPING

ZONE: AR
TAX MAP: HV53; PARCEL 150
DEED BOOK 25564, PAGE 456
1ST ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

OWNER / APPLICANT
DAVID MAMANA
309 DAMASCUS ROAD
ITHERSBURG, MD 20882
PHONE: (301)622-3831



RAZTEC ASSOCIATES, INC.
civil engineers & planners

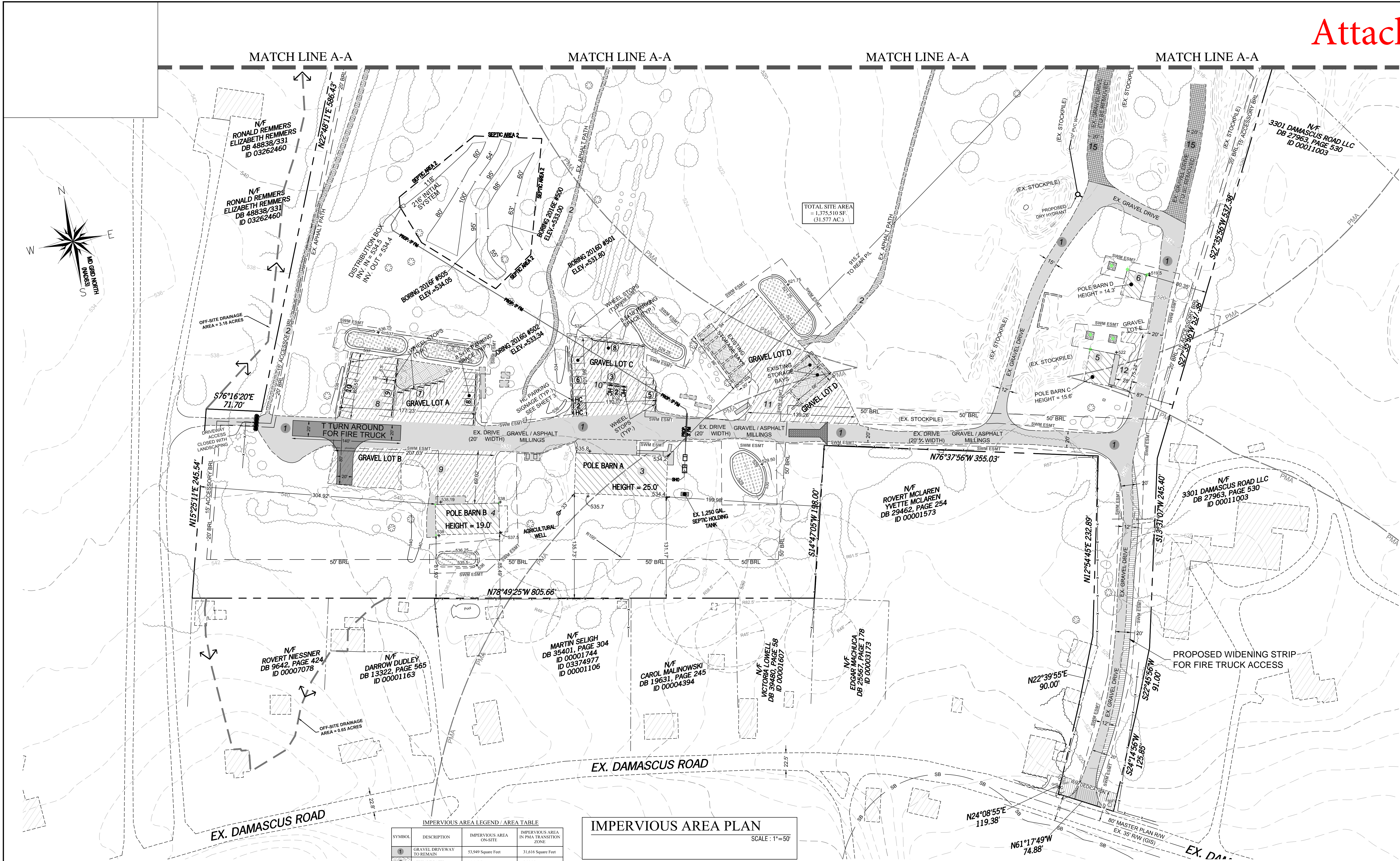
PROFESSIONALS' REVIEW STATEMENT:
I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME,
AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF
THE STATE OF MARYLAND LICENSE NUMBER: 22742 EXPIRES: JUNE 15, 2022

DRAWN BY: SL
CHECKED BY: MR

DATE
9/2/2020

SCALE
1" = 100'

SHEET NUMBER
1 of 3



SITE PLAN LEGEND	
EXISTING FEATURE	SYMBOL
SUBJECT SITE BOUNDARY	---
ADJOINING PROPERTY BOUNDARY	---
EXISTING STRUCTURES	EX
EXISTING CONTOURS (MINOR)	---
EXISTING CONTOURS (INDEX)	---
EXISTING SEWER LINE	S
EXISTING WATER LINE	W
EXISTING GAS LINE	G
SOIL TYPE BOUNDARY	---
EXISTING HOUSE WITHIN 200' OF SUBJECT PROPERTY	---
VEGETATION BOUNDARY	---
WETLAND BUFFER	---
STREAM BUFFER	---
EX. 1,250 GAL. SEPTIC HOLDING TANK TO BE REMOVED	---
PRIMARY MANAGEMENT AREA	PMA
SEPTIC FIELD TRENCH WITH ANNOTATED TRENCH LENGTHS	---
PROPOSED SEPTIC BAT TANK (SEE DETAIL THIS SHEET)	---
PROPOSED FORCE MAIN	---
PROPOSED SEWER HOUSE CONNECTION	---
SUPER SILT FENCE	---
FOREST CONSERVATION AREA	---
AFFORESTATION AREA	---

IMPERVIOUS AREA LEGEND / AREA TABLE			
SYMBOL	DESCRIPTION	IMPERVIOUS AREA ON-SITE	IMPERVIOUS AREA IN PMA TRANSITION ZONE
1	GRAVEL DRIVEWAY TO REMAIN	53,949 Square Feet	31,616 Square Feet
2	ASPHALT PATH	14,478 Square Feet	8,086 Square Feet
3	POLE BARN "A"	6,265 Square Feet	3,167 Square Feet
4	POLE BARN "B"	3,116 Square Feet	NOT IN PMA
5	POLE BARN "C"	1,344 Square Feet	797 Square Feet
6	POLE BARN "D"	884 Square Feet	884 Square Feet
7	PAVILION	700 Square Feet	700 Square Feet
8	GRAVEL LOT A	11,900 Square Feet	NOT IN PMA
9	GRAVEL LOT B	10,852 Square Feet	NOT IN PMA
10	GRAVEL LOT C	10,159 Square Feet	NOT IN PMA
11	GRAVEL LOT D	14,532 Square Feet	8,540 Square Feet
12	GRAVEL LOT E	1,870 Square Feet	792 Square Feet
13	STORAGE BAYS	4,000 Square Feet	2,883 Square Feet
14	DRIVEWAY WIDENING (PROPOSED)	3,000 Square Feet	3,000 Square Feet
15	MISC. CONCRETE PADS, WALKS & OBJECTS	4,250 Square Feet	810 Square Feet
16	GRAVEL DRIVEWAY TO BE REMOVED	8,190 Square Feet	8,190 Square Feet
TOTAL SITE AREA: 1,375,510 Square Feet			
TOTAL EXISTING IMPERVIOUS AREA ON-SITE: 148,384 Square Feet			
NEW IMPERVIOUS AREA: 3,000 Square Feet			
EXISTING IMPERVIOUS AREA TO BE REMOVED: 8,190 Square Feet			
TOTAL IMPERVIOUS AREA: 143,194 Square Feet			
TOTAL SITE IMPERVIOUSNESS: 10.15%			
TOTAL AREA OF PMA TRANSITION ZONE ON-SITE: 912,438 Square Feet			
TOTAL EXISTING IMPERVIOUS AREA WITHIN PMA TRANSITION ZONE: 66,649 Square Feet			
EXISTING IMPERVIOUS AREA TO BE REMOVED WITHIN PMA TRANSITION ZONE: 8,190 Square Feet			
NEW IMPERVIOUS AREA WITHIN PMA TRANSITION ZONE: 3,000 Square Feet			
TOTAL SITE IMPERVIOUS AREA IN PMA ZONE: 94,459 Square Feet			
PERCENT OF AREA THAT IS IMPERVIOUS: 6.52%			

NOTES:
1) IMPERVIOUS AREAS FOR POLE BARNs INCLUDE ROOF OVERHANGS.



REV#	DATE	

IMPERVIOUS AREA PLAN

GREENSKEEPER LANDSCAPING

ZONE: AR
TAX MAP: HV53; PARCEL 150
DEED BOOK 25564, PAGE 456
1ST ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

OWNER / APPLICANT
DAVID MAMANA
3309 DAMASCUS ROAD
GANTHERSBURG, MD 20882
PHONE: (301)622-3831

SEAL
STATE OF MARYLAND
PROFESSIONAL ENGINEER
Raztec Associates, Inc.

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DRAWN BY: SL
CHECKED BY: MR.

DATE
9/2/2020

SCALE
1" = 50'

SHEET NUMBER
2 of 3
PRELIMINARY PLAN SHEET 08 OF 10



SITE PLAN LEGEND	
EXISTING FEATURE	SYMBOL
SUBJECT SITE BOUNDARY	---
ADJOINING PROPERTY BOUNDARY	---
EXISTING STRUCTURES	EX
EXISTING CONTOURS (MINOR)	101
EXISTING CONTOURS (INDEX)	100
EXISTING SEWER LINE	S
EXISTING WATER LINE	W
EXISTING GAS LINE	G
SOIL TYPE BOUNDARY	Au/D Au/B
EXISTING HOUSE WITHIN 200' OF SUBJECT PROPERTY	
VEGETATION BOUNDARY	
WETLAND BUFFER	
STREAM BUFFER	
EX. 1,250 GAL. SEPTIC HOLDING TANK TO BE REMOVED	
PRIMARY MANAGEMENT AREA	PMA
SEPTIC FIELD TRENCH WITH ANNOTATED TRENCH LENGTHS (SEE SHEET 2)	
PROPOSED SEPTIC TANK	
PROPOSED FORCE MAIN	PROP. 2" FM
PROPOSED SEWER HOUSE CONNECTION	SHG
SUPER SILT FENCE	SSF
FOREST CONSERVATION AREA	
AFFORESTATION AREA	

IMPERVIOUS AREA LEGEND / AREA TABLE			
SYMBOL	DESCRIPTION	IMPERVIOUS AREA ON-SITE	IMPERVIOUS AREA IN PMA TRANSITION ZONE
1	GRAVEL DRIVEWAY TO REMAIN	51,949 Square Feet	31,616 Square Feet
2	ASPHALT PATH	14,479 Square Feet	8,886 Square Feet
3	POLE BARN "A"	6,265 Square Feet	3,167 Square Feet
4	POLE BARN "B"	3,116 Square Feet	NOT IN PMA
5	POLE BARN "C"	1,344 Square Feet	797 Square Feet
6	POLE BARN "D"	884 Square Feet	884 Square Feet
7	PAVILION	700 Square Feet	700 Square Feet
8	GRAVEL LOT A	11,900 Square Feet	NOT IN PMA
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PERCENT OF AREA THAT IS IMPERVIOUS: 6.52%			

REV#	DATE

IMPERVIOUS AREA PLAN

GREENSKEEPER LANDSCAPING

ZONE: AR
TAX MAP: HV53; PARCEL 150
DEED BOOK 25564, PAGE 456
1ST ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

OWNER / APPLICANT
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3309 DAMASCUS ROAD
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PHONE: (301)622-3831

SEAL
DAVID MAMANA
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MONTGOMERY COUNTY, MARYLAND

RAZTEC ASSOCIATES, INC.
civil engineers & planners
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Tel (301) 775-4394
email:raztecegr@comcast.net

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DRAWN BY: SL
CHECKED BY: MR.

DATE
9/2/2020

SCALE
1" = 50'

SHEET NUMBER
3 of 3
PRELIMINARY PLAN SHEET 09 OF 10

Lenhart Traffic Consulting, Inc.

Transportation Planning & Traffic Engineering

Memorandum:*Date:* August 31, 2020

TO: MNCPPC
8787 Georgia Avenue
Silver Spring, MD 20910

FROM: Mike Lenhart

RE: Traffic Statement for Greenskeeper Landscaping (3309 Damascus Road)

This Traffic Statement has been prepared as an update to the previously approved submission for Greenskeeper Landscaping in order to comply with the current Montgomery County Subdivision Staging Policy. The property is located along the north side of MD 650 at 3309 Damascus Road approximately ½ mile west of MD 97 (Georgia Avenue) and has access through an existing driveway to MD 650 approximately 750 feet east of Sundown Road. The property is currently operating as a non-conforming landscape contractor.

A traffic statement was previously submitted and approved that conformed to the Montgomery County Growth Policy which established the Local Area Transportation Review (LATR) and Transportation Policy Area Review (TPAR) Guidelines. This traffic statement updates the previous statement to conform with the current Subdivision Staging Policy LATR standards which focuses not on vehicular trips but person trips to determine the extent of analysis required. It should be noted that proposed sites that generate fewer than 50 person trips are considered exempt from requiring a full traffic impact study.

There is no ITE trip generation rate that directly correlates to a landscape contractor use. Therefore, as part of the previous submission, a traffic count was conducted at the site driveway to document the number of vehicles entering and exiting the site during the peak hours (site trip generation). The previous traffic statement is included in Appendix A and the traffic count at the site driveway is shown on Exhibit 3 of Appendix A. Conditions at the site in terms of the number of employees, shift times, and overall operations have not changed since that site traffic count was conducted, so that count was used as the vehicular-trip-generation starting point for the current traffic statement.

Exhibit 1 converts the previously approved vehicular trip generation to person trips using the methodology outlined in the current LATR. As shown, the development generates fewer than 50 person trips during both the morning and evening peak hour and is therefore exempt from requiring a full traffic impact study.

Based on the information contained in this report:

- Vehicular trip generation based on a driveway count was conducted for the site as part of the previously approved traffic statement. Conditions at the site that would affect trip generation characteristics have not changed since the previous study/driveway count was conducted.
- The vehicular trip generation was updated to person trips in order to conform to current LATR standards.

Lenhart Traffic Consulting, Inc.

Transportation Planning & Traffic Engineering

- The site will generate fewer than 50 person trips during both the morning and evening peak hour and is therefore exempt from requiring a full traffic impact study.

If you have any questions regarding this matter, please do not hesitate to contact me at the number below.

Vehicular Trip Generation Totals

	AM Peak			PM Peak		
	In	Out	Total	In	Out	Total
Site Vehicular Trips (Based on Previously Approved Trip Generation in Appendix A)	12	14	26	5	14	19

Total Person Trip Generation Totals

	AM Peak			PM Peak		
	In	Out	Total	In	Out	Total
Existing Vehicular Trips per ITE Trip Generation Manual, 10th Edition:	12	14	26	5	14	19
LATR Vehicle Trip Generation Rate Adjustment Factor (Rural East Policy Area): 100%						
Total LATR Adjusted Vehicular Trips per ITE Trip Generation Manual, 10th Edition (Auto Driver at 75.8%):	12	14	26	5	14	19
Total Person Trips:	16	18	34	7	18	25
Auto Driver: 75.8%	12	14	26	5	14	19
Auto Passenger: 20.2%	3	4	7	1	4	5
Transit: 0.5%	0	0	0	0	0	0
Non-Motorized: 3.6%	1	0	1	1	0	1

Traffic Statement



LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Trip Generation
for Site

**Exhibit
1**

Appendix A

Previously Approved Traffic Statement

Lenhart Traffic Consulting, Inc.

Transportation Planning & Traffic Engineering

Memorandum:

Date: September 22, 2015

TO: MNCPPC
8787 Georgia Avenue
Silver Spring, MD 20910

FROM: Mike Lenhart

RE: Traffic Statement for Greenskeeper Landscaping (3309 Damascus Road)

This Traffic Statement has been prepared for the Conditional Use Plan for Greenskeeper Landscaping. The property is located along the north side of MD 650 at 3309 Damascus Road approximately ½ mile west of MD 97 (Georgia Avenue). The property is currently operating as a non-conforming landscape contractor. The purpose of this Traffic Statement is to be utilized in the Conditional Use process in order to bring the use into conformance.

The property has access through an existing driveway to MD 650 approximately 750 feet east of Sundown Road. A copy of the Conditional Use Plan is included in Appendix A.

The Growth Policy establishes the “Local Area Transportation Review (LATR) and Transportation Policy Area Review (TPAR) Guidelines”. These Guidelines are utilized by the Montgomery County Planning Board for the Administration of the Adequate Public Facilities Ordinance. This Traffic Statement conforms to the LATR and TPAR as required in the Montgomery County Growth Policy. The Growth Policy states that projects that generate fewer than thirty (30) peak hour trips are exempt from the LATR analysis. The Growth Policy also provides TPAR requirements for projects located in different Policy Areas. Excerpts of the LATR/TPAR Guidelines are included in Appendix A.

The following exhibits provide details related to the LATR requirements.

1. Exhibit 1 contains a table of the shift times and number of employees / crews per shift.
2. Exhibit 2 contains a table of the projected peak hour traffic volumes based on the number of employees and work crews, and based upon their time of arrival/departure and corresponding shift times. It is assumed that the employees arrive in the 15 minutes prior to the beginning of the shift, and depart 15 minutes after the end of the shift. Based on the projected site traffic, the site generates a maximum of twenty-four (24) trips in the morning peak hour and nine (9) trips in the evening peak hour.
3. Exhibit 3 contains a summary of the actual traffic counts for the existing use on the property during the morning and evening peak hours. The totals were obtained from a physical traffic count at the entrance of the site. The traffic count is contained in Appendix B to the report. Based on the actual traffic counts, the site generates a maximum of twenty-six (26) trips in the morning peak hour and nineteen (19) trips in the evening peak hour. It should be noted that the actual traffic counts in the correlate fairly well with the projected traffic counts shown on Exhibit 2. In all cases, the site generates fewer than thirty (30) peak hour trips therefore the project is exempt from LATR.

Lenhart Traffic Consulting, Inc.

Transportation Planning & Traffic Engineering

The project is located in the Rural East Policy Area which has been identified as exempt from the transit and roadway tests of the TPAR review. Therefore, the project is exempt from TPAR.

Based on the information contained in this report and the traffic generated by the Conditional Use on this property, the project requires a Traffic Statement describing the exemption from both LATR and TPAR.

- The project is located in the Rural East Policy Area which is defined as exempt from TPAR.
- The project generates fewer than 30 peak hour trips, therefore is exempt from LATR.

If you have any questions regarding this matter, please do not hesitate to contact me at the number below.

<u>Shift time</u>	<u>Employees</u>	
Shift 1:		
6:00 a.m. to 5:00 p.m.:	6 - Managers	Note: Managers come in before the crews to prepare for the day's activities. Managers leave after crews to close up shop.
	0 - laborers/truck drivers	
	0 - mechanical	
	0 - yard	
	0 - office	
Shift time	Employees	
Shift 2:		
6:30 a.m. to 3:00 p.m.:	0 - Managers	Note: First set of crews dispatch to jobs (7) crews.
	23 - laborers/truck drivers	
	0 - mechanical	
	1 - yard	
	0 - office	
Shift time	Employees	
Shift 3:		
7:00 a.m. to 3:30 p.m.:	0 - Managers	Note: First set of crews dispatch to jobs (7) crews.
	19 - laborers/truck drivers	
	0 - mechanical	
	1 - yard	
	0 - office	
Shift time	Employees	
Shift 4:		
9:00 a.m. to 5:00 p.m.:	0 - Managers	Note: Secretaries and mechanic come in after crews leave to do office work and maintain equipment.
	0 - laborers/truck drivers	
	1 - mechanical	
	0 - yard	
	2 - office	

NOTE:

Of the 42 laborers/truck drivers approximately eighteen (18) drive their own personal vehicles; most of the rest share rides and carpool. The number of employees will vary, depending upon the season. The greatest number of employees will be needed during the spring, summer and fall. Many of the laborers car pool to work, and often will report directly to the job site.

Traffic Impact Analysis	Staffing Levels and Shift Times	Exhibit 1
Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning		

Trip Generation Rates

NOTES:

1. The site is an existing non-conforming use. The site is an existing landscape contractor.
2. This Special Exception application is being filed to bring the existing use into conformance. The project is being tested in accordance with the current County Growth Policy.
3. The trip generation for the site below is based upon the projected traffic volumes to and from the site based on staffing levels and shift times. The trip generation totals below are based on an assessment of the staffing levels and shift times on Exhibit 1. It is assumed that the staff will arrive in the 15 minutes prior to the shift time start, and will depart in the 15 minutes after the shift time end.

Trip Generation Totals

			Peak Hour		
<u>Greenspeakper Landscaping</u>			In	Out	Total
<u>Morning Peak Hour</u>					
6:30-7:30	am		10	14	24
6:45-7:45	am		10	7	17
7:00-8:00	am		0	7	7
7:15-8:15	am		0	0	0
7:30-8:30	am		0	0	0
7:45-8:45	am		0	0	0
8:00-9:00	am		3	0	3
8:15-9:15	am		3	0	3
8:30-9:30	am		3	0	3
<u>Evening Peak Hour</u>					
4:00-5:00	pm		0	0	0
4:15-5:15	pm		0	9	9
4:30-5:30	pm		0	9	9
4:45-5:45	pm		0	9	9
5:00-6:00	pm		0	9	9
5:15-6:15	pm		0	0	0
5:30-6:30	pm		0	0	0
5:45-6:45	pm		0	0	0
6:00-7:00	pm		0	0	0
Maximum AM Peak Hour Trips (6:30-7:30 AM):			10	14	24
Maximum PM Peak Hour Trips (4:15-5:15 PM):			0	9	9

NOTES:

The Montgomery County Growth Policy contains the following:

1. This property is located in the Rural East Policy Area which is adequate for TPAR.
2. Projects with fewer than 30 peak hour trips are exempt from LATR.
3. The trip generation above is summarized from the site driveway.

Traffic Impact Analysis		Trip Generation based on Staffing Levels & Shift Times	Exhibit 2
Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning			

Trip Generation Rates

NOTES:

1. The site is an existing non-conforming use. The site is an existing landscape contractor.
2. This Special Exception application is being filed to bring the existing use into conformance. The project is being tested in accordance with the current County Growth Policy.
3. Therefore the trip generation for the site is based upon the existing traffic volumes to and from the site.
4. The volumes below are the 60-minute floating totals based on the existing traffic count in Appendix A.

Trip Generation Totals

			Peak Hour		
			In	Out	Total
<u>Greenspeakper Landscaping</u>					
<u>Morning Peak Hour</u>					
6:30-7:30	am		12	14	26
6:45-7:45	am		8	14	22
7:00-8:00	am		0	14	14
7:15-8:15	am		2	9	11
7:30-8:30	am		2	7	9
7:45-8:45	am		3	5	8
8:00-9:00	am		5	1	6
8:15-9:15	am		3	3	6
8:30-9:30	am		4	3	7
<u>Evening Peak Hour</u>					
4:00-5:00	pm		5	14	19
4:15-5:15	pm		0	12	12
4:30-5:30	pm		0	6	6
4:45-5:45	pm		1	3	4
5:00-6:00	pm		2	5	7
5:15-6:15	pm		2	5	7
5:30-6:30	pm		2	4	6
5:45-6:45	pm		1	2	3
6:00-7:00	pm		0	0	0
Maximum AM Peak Hour Trips (6:30-7:30 AM):			12	14	26
Maximum PM Peak Hour Trips (4:00-5:00 PM):			5	14	19

NOTES:

The Montgomery County Growth Policy contains the following:

1. This property is located in the Rural East Policy Area which is adequate for TPAR.
2. Projects with fewer than 30 peak hour trips are exempt from LATR.
3. The trip generation above is summarized from the site driveway.

Traffic Impact Analysis		Trip Generation based on Actual Traffic Counts	Exhibit 3
Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning			

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
Stella B. Werner Council Office Building
Rockville, Maryland 20850
(240) 777-6660

IN THE MATTER OF: *
DAVID MAMANA AND GREENSCKEEPER *
LANDSCAPING AND LAWN MGT., INC. *

David Mamana *
Michael Razavi *
Eric McWilliams *
Michael Lenhart *
Francis Silberholz *

OZAH Case No. CU 15-04

For the Application *

Brent Morse *
Opposing the Application *
*

Before: Lynn A. Robeson, Hearing Examiner

HEARING EXAMINER’S REPORT AND DECISION

TABLE OF CONTENTS

I. STATEMENT OF THE CASE..... 3

II. FACTUAL BACKGROUND 4

 A. Subject Property 4

 B. Surrounding Area 7

 C. Proposed Use 8

 1. Site Plan, Access, On-Site Parking 9

 2. Site Landscaping, Lighting and Signage 13

 3. Operations 15

 D. Community Response 16

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW 17

 A. Necessary Findings (Section 59.7.3.1.E.) 17

 B. Development Standards of the Zone (Article 59.4) 25

C. Use Standards for a Landscape Contractor Business (59.3.5.5)	26
D. General Development Standards (Article 59.6)	29
1. Site Access Standards	29
2. Parking Spaces Required, Parking Setbacks and Parking Lot Screening	29
3. Site Landscaping, Screening and Lighting	33
4. Signage	36
IV. Conclusion and Decision	36

I. STATEMENT OF THE CASE

Filed on January 26, 2015, the Applicant seeks a conditional use to operate a landscape contractor business under §59.3.5.5 of the *2014 Zoning Ordinance* (Zoning Ordinance) on property located at 3309 Damascus Road, Brookeville, Maryland, within the AR (Agricultural Reserve) Zone.

OZAH noticed a public hearing for June 8, 2015. Exhibit 18. On May 11, 2015, the Applicant requested a continuance of that hearing to permit time to address issues raised by staff of the Montgomery County Planning Department (Technical Staff or Staff). Exhibit 23. The Hearing Examiner re-scheduled the public hearing to September 25, 2015 (Exhibit 24), but this was rescheduled again to December 4, 2015, to permit the Applicant time to submit revised plans. The Applicant submitted revised plans along with a motion to amend the application. Exhibits 43, 44. OZAH issued a Notice of Motion to Amend on October 15, 2015 (Exhibit 45).

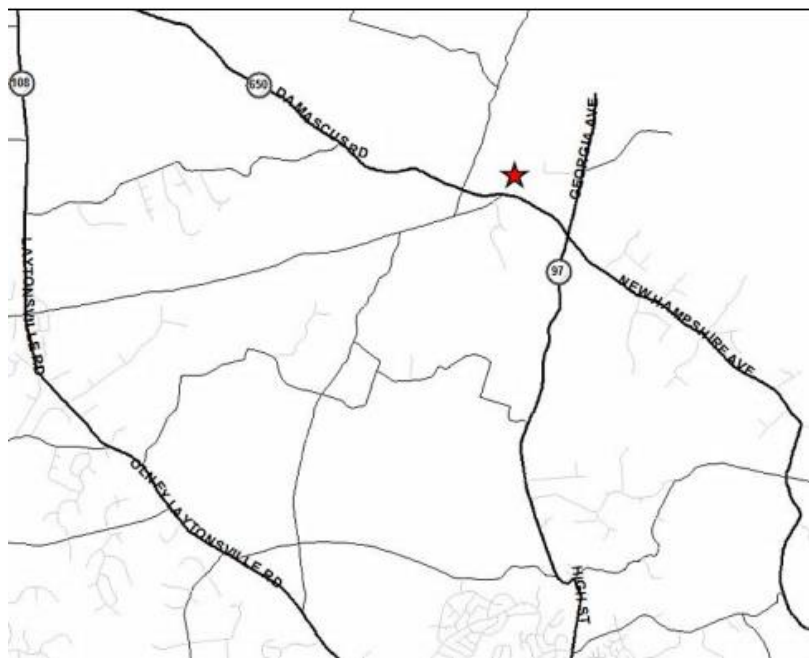
Technical Staff issued a report recommending approval of the application and a Final Forest Conservation Plan (FFCP) on October 29 and 30, 2015, respectively, and the Planning Board issued its recommendation to approve the application on November 18, 2015, as well as its approval of the FFCP. The Hearing Examiner convened the public hearing on December 4, 2015, but left the record open for an additional 10 days to permit the Applicant time to determine whether legislation adopted by the District Council, Zoning Text Amendment (ZTA) 15-09, would impact its application and to receive comments from Staff on several modifications to the conditions recommended by Staff (Exhibit 63(a)). Staff submitted its response that it had no further comments on the Applicant's proposed revisions to the conditions of approval. Exhibit 64. The Applicant submitted a statement that ZTA 15-09 would not affect the application, and the record

closed on December 14, 2015. Exhibit 62. The Hearing Examiner hereby approves the application, subject to the conditions listed in Part IV of this Report and Decision.

II. FACTUAL BACKGROUND

A. Subject Property

Consisting of approximately 31.58 acres, the subject property is located on the north side of Damascus Road (MD 650), approximately 700 feet east of its intersection with Sundown Road. A vicinity map, included in the Technical Staff Report (Exhibit 51, p. 1) shows its general location:



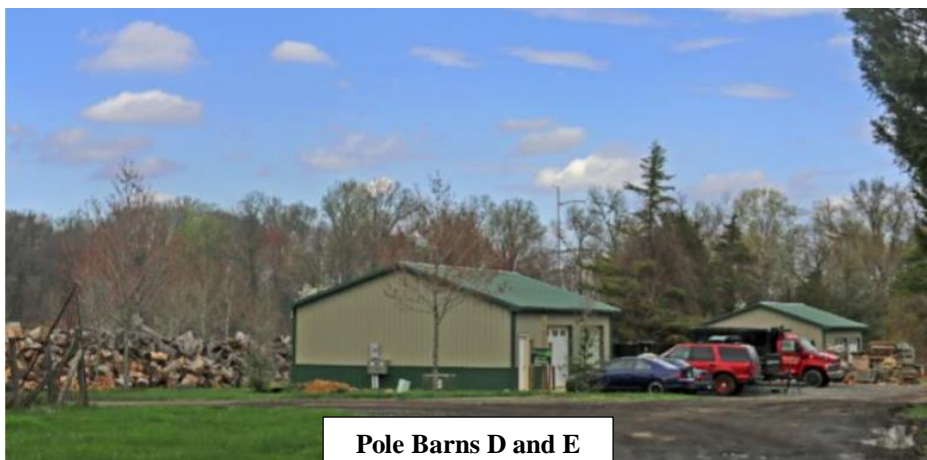
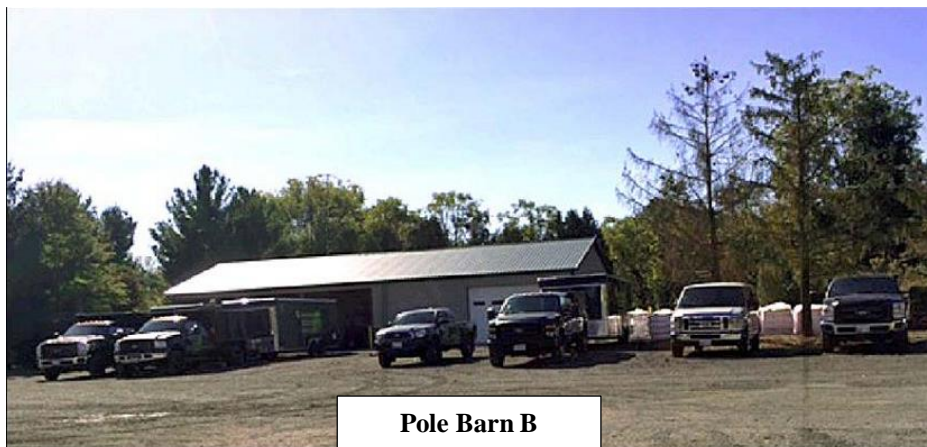
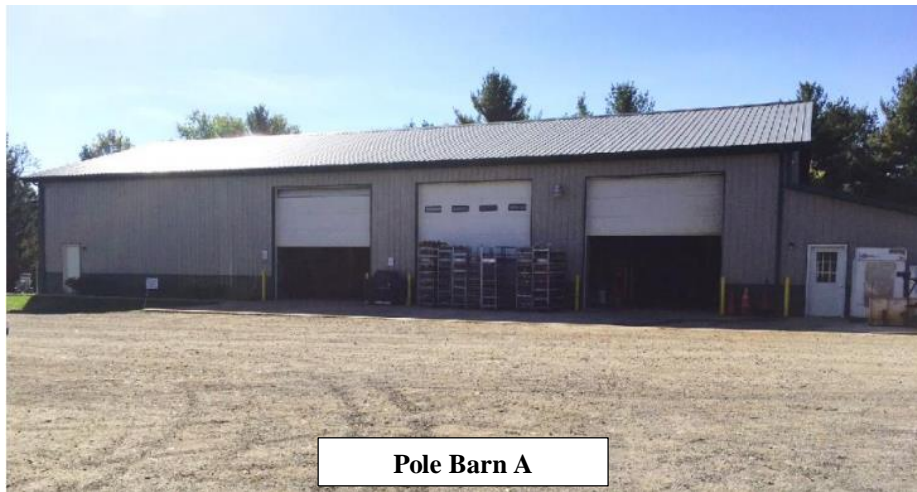
Staff reports that the Applicant had been operating a landscape contractor business on the property since 2003 without a conditional use approval. The Montgomery County Department of Permitting Services (DPS) issued a violation notice in July, 2014 and directed the Applicant to file for a conditional use approval. Exhibit 51, p. 3.

The property was formerly used as a tree farm. It is currently improved with four structures of different sizes, which Staff advises were built at various times between 2003 and 2014. There are two pole barns measuring 5,600 square feet (Pole Barn A) and 2,880 square feet (Pole Barn

B). Two smaller structures (Pole Barns C and D) are 1,200 square feet and 768 square feet, respectively. The largest pole barn, Pole Barn A, is used for a combination of business office and equipment storage. It is served with water from an existing agricultural well and contains a bathroom facility served by a 1,250-gallon sewage holding tank. Staff advises that the two smaller buildings are field offices. A 21,600 square-foot farm pond is located in the northeastern portion of the property. The property slopes downward from southwest to northeast (towards the pond) by approximately 400 feet. Access is from a 12-foot wide, 460-foot long pipestem driveway from Damascus Road. Exhibit 51, pp. 4-5. An aerial photograph of the property, included in the Staff Report, shows the existing improvements (Exhibit 51, p. 4):



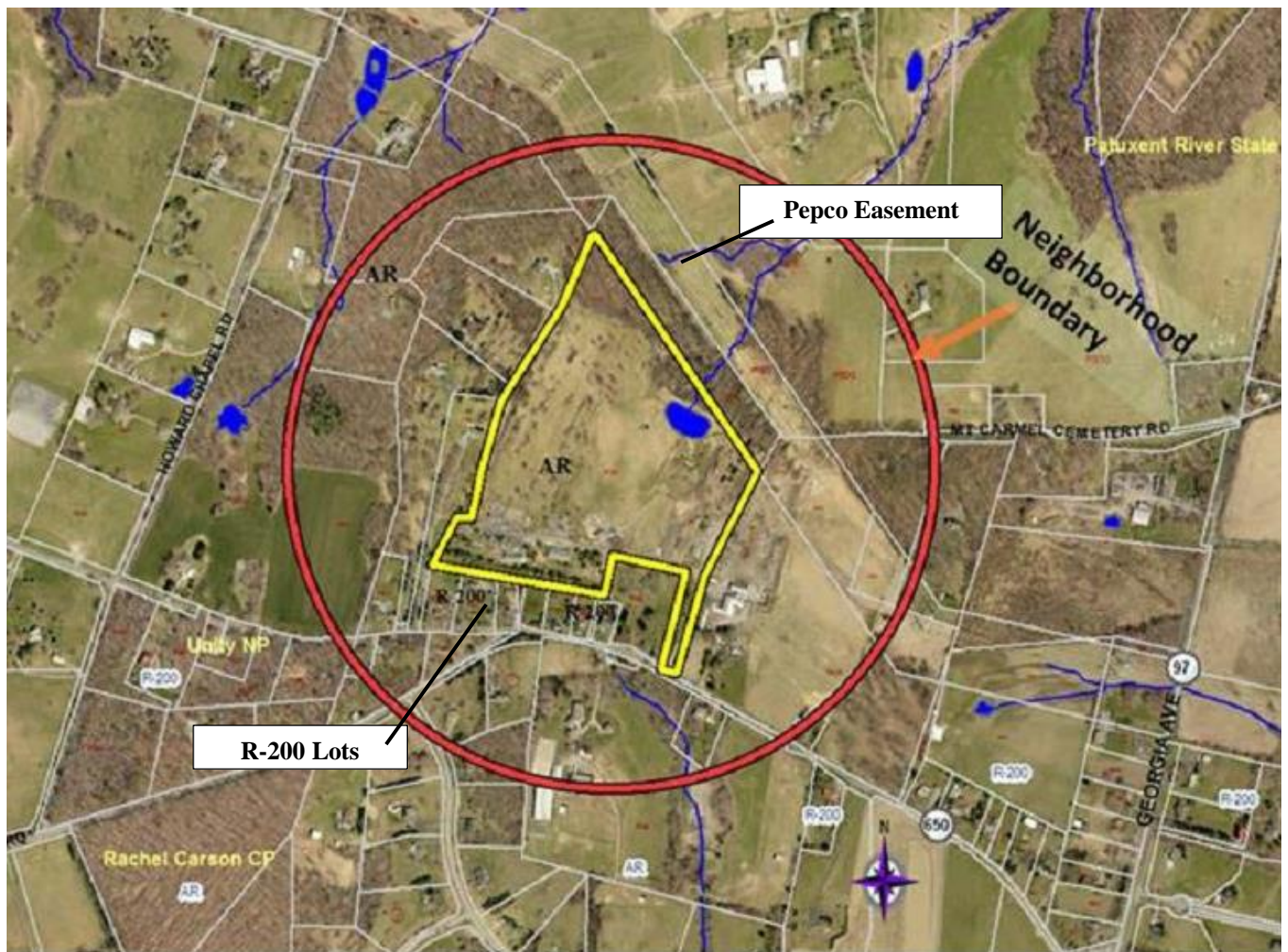
Photos of the existing structures on the property, included in the Technical Staff Report (Exhibit 51), are shown below:



Staff advises that the majority of the property lies within the Patuxent River Primary Management Area (PMA), which includes land within 1/8 miles (660 feet) of streams on or near the property. The PMA is further divided into a “stream valley buffer area” and a “transition area,” determined by the Planning Board’s Environmental Guidelines.

B. Surrounding Area

For the purpose of determining the compatibility of the proposed use, it is necessary to delineate and characterize the “surrounding area” (*i.e.*, the area that will be most directly impacted by the proposed use). Staff defined the surrounding area as properties within a 1,500 foot radius of the subject property, shown in a graphic from the Technical Staff Report (Exhibit 51, p. 6):



Staff described the neighborhood as predominantly agricultural with single-family detached residential homes on large estate lots, farms and unimproved parcels with the AR and R-200 Zones. Single-family detached homes on smaller, R-200-zoned, lots border the southern property boundary. A large farm is adjacent to the east and a 350-foot wide PEPCO powerline is adjacent on the north/northwest side, and there are four agricultural properties to the west. Properties further south of the smaller R-200 lots are zoned AR, and Unity Neighborhood Park and the Rachel Carson Conservation Park are located approximately 850 and 1,000 feet, respectively, from the southwest corner of the property, outside of the defined area.

The Applicant agreed with Staff's findings regarding the surrounding area. The Hearing Examiner accepts Staff's boundaries and characterizes the neighborhood as a mix of agricultural and residential uses, some of the latter of which are smaller lots in the R-200 Zone.

C. Proposed Use

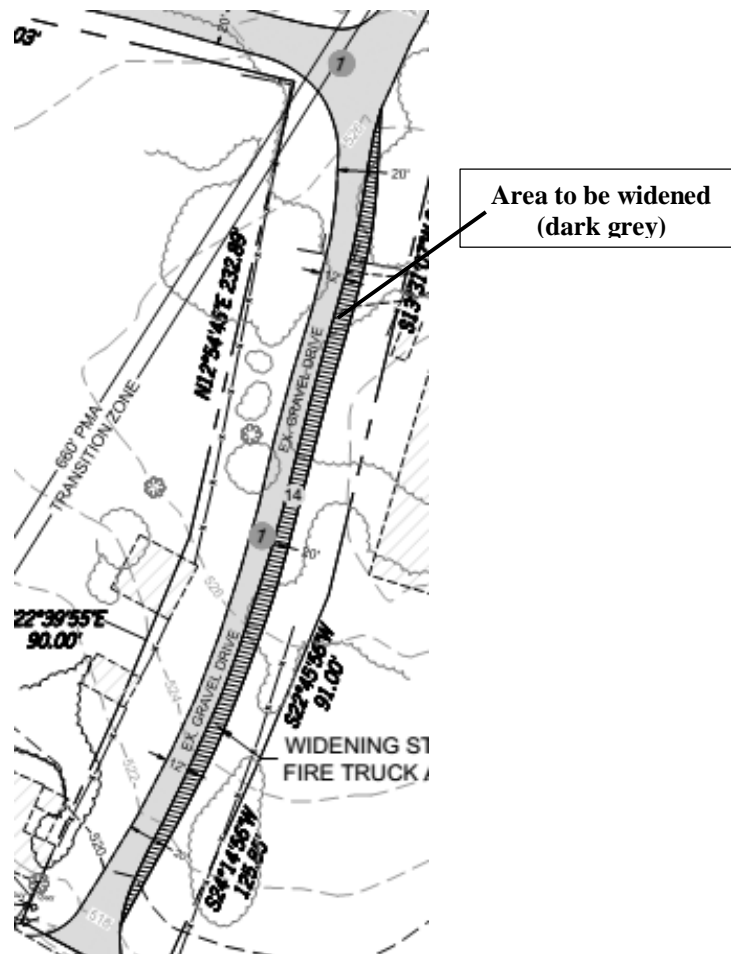
Mr. David Mamana, the president and owner of Greenskeeper Landscaping and Lawn Management, Incorporated, testified that his company provides services such as sediment and erosion control, tree work, stump grinding, installation of plants and trees, and snow removal. It has operated at the subject property for over 12 years. According to Mr. Mamana, he purchased the property because it was a working tree farm and he felt it suited the type of work performed by his company. It's a very large property and operations sit back from the road, which screens the use from almost all of the neighbors. Trees left from the tree farm provide screening and privacy around the perimeter of the property. T. 15.

Mr. Mamana does not propose to change the existing improvements on the property, except that he must widen the existing 12-foot driveway to 20 feet, upgrade the septic system, and add

landscaping as shown in the Landscape Plan. Exhibit 51, p. 3. This application responds to a zoning violation notice issued in July, 2014. *Id.*

1. Site Plan, Access, On-Site Parking

The Applicant's site plan mirrors the existing improvements on the site. Excerpts of the plan are shown below and on the following pages. Access to the property is from the long driveway connecting to Damascus Road, which has a 75-foot wide gravel apron that narrows to 12 feet. One of the few modifications to the existing improvements will be to widen the driveway to 20 feet to meet fire regulations governing commercial driveways, as shown in the site plan (Exhibit 44(d)(ii)):

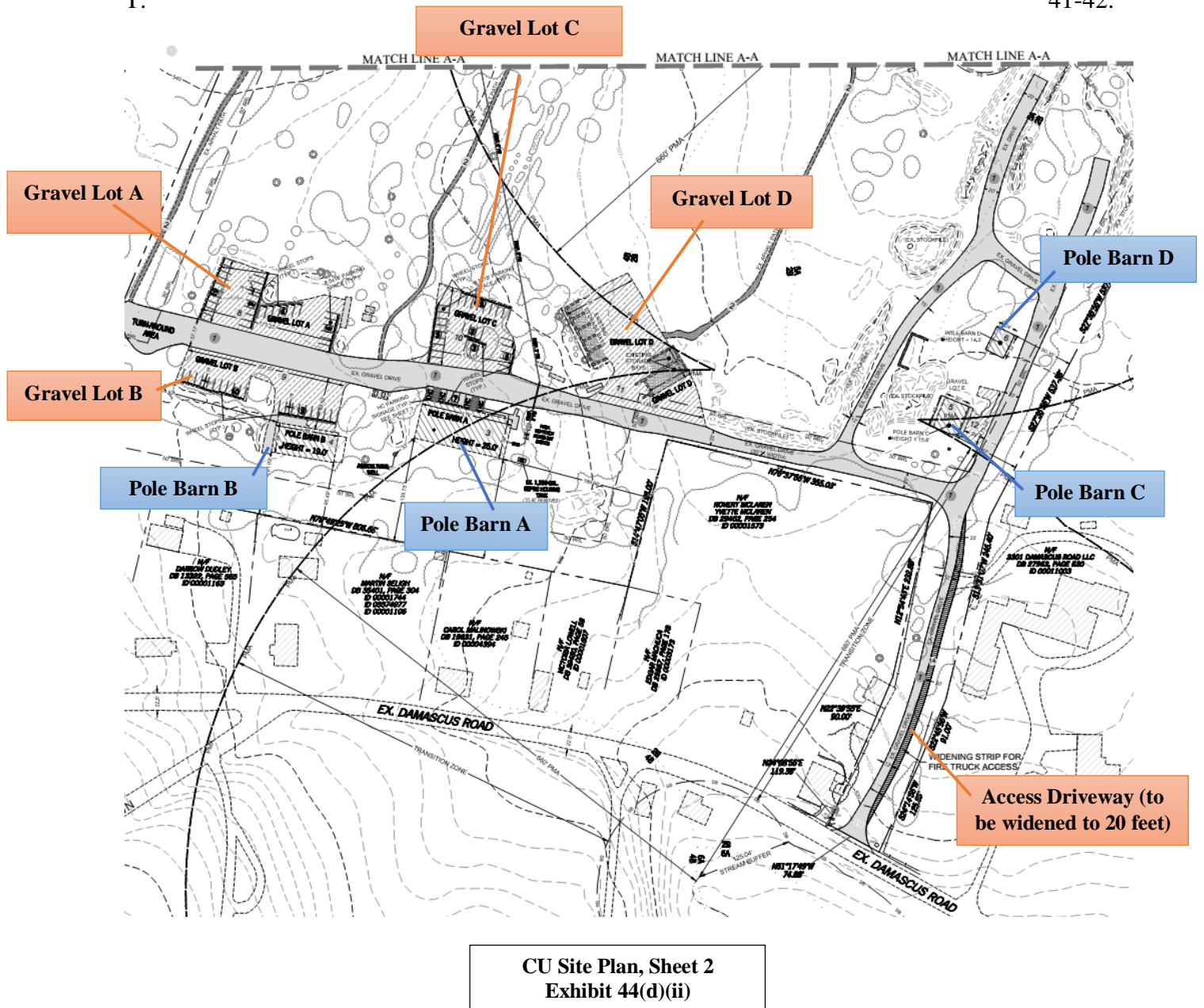




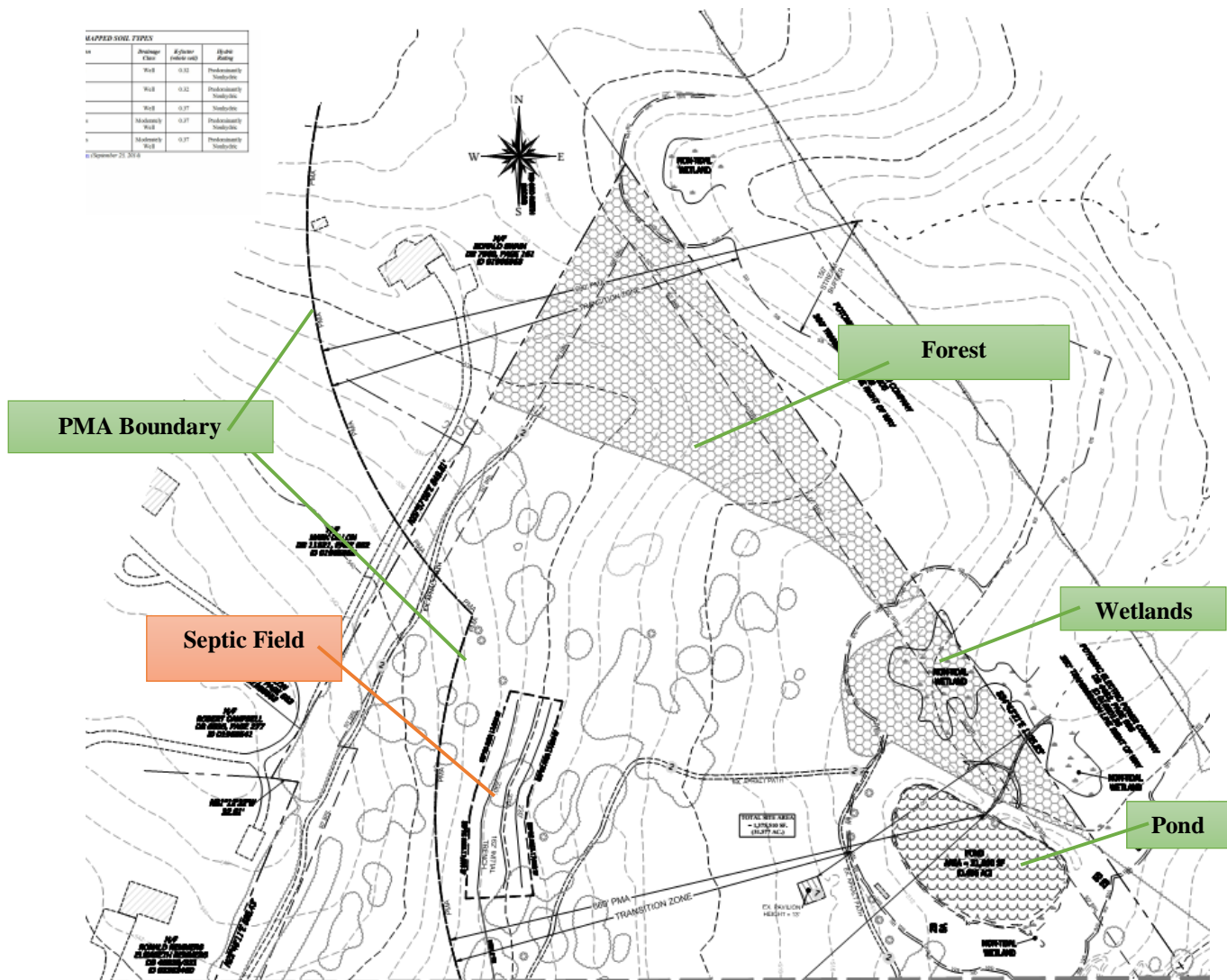
The Applicant's expert civil engineer, Mr. Michael Razavi, testified that the high point of the driveway is approximately 2/3 of the distance from Damascus Road. He opined that the additional drainage caused by widening the drive would have an insignificant impact on existing conditions. T. 44. Mr. Razavi also testified that the site meets all limitations on impervious surfaces for properties within a PMA area. The total impervious area is limited to 10.9% of the entire site. The impervious area total within the PMA transition area is equivalent to 7.41%, both of which are within the maximums permitted by the Planning Board's environmental guidelines.

T.

41-42.



Sheet 3 of the Conditional Use site plan, covering the largely unimproved northern portion of the property, is shown below (Exhibit 44(d)(iii)):



The Applicant proposed to have a maximum of 85 parking spaces distributed between the four gravel parking areas, each with cement wheel stops at each space. Staff reports that the Applicant miscalculated the number of spaces required, and that the minimum required is 60 spaces. Staff recommended that the wheel stops for the excess spaces be removed and those areas used for storage of equipment. Exhibit 51, p. 2.

Mr. Eric McWilliams, the Applicant's expert in landscape architecture, testified that the existing vegetation around the site perimeter already provides a significant buffer on the property, screening approximately 70% of the property's perimeter. Perimeter screening includes a thick border of existing white pine and arborvitae almost 50 feet in depth in some areas, hedgerow screens the northern portion of the western property line and the southern property line, and there is a forested area along the rear property line. He opined that the landscaping is somewhat thinner along the southwestern corner, and they propose additional plantings in that area. T. 50-51. The Landscape Plan (Exhibit 44(e)) depicts the existing and proposed landscaping:



LANDSCAPE SCHEDULE						
	KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
	SHADE TREE(S)					
	AR	20	ACER RUBRUM	RED MAPLE	2 1/2-3" CAL.	B+B
	ZS	2	ZELKOVA SERRATA	JAPANESE ZELKOVA	2 1/2-3" CAL.	B+B
	SUBTOTAL:	22				
	ORNAMENTAL TREE(S)					
	AC	9	AMELANCHIER CANADENSIS	MULTI STEM SHADBLOW SERVICEBERRY	8-10'	B+B
	CC	10	CERCIS CANADENSIS	EASTERN REDBUD	2-2 1/2" CAL.	B+B
	SUBTOTAL:	19				
	DECIDUOUS SHRUB(S)					
	EAC	38	EUONYMUS ALATUS 'COMPACTUS'	DWARF WINGED EUONYMUS	30-36"	B+B
	SNS	54	SPIRAEA NIPPONICA 'SNOWMOUND'	SNOWMOUND NIPPON SPIREA	15-18"	#3 CAN
	VRA	36	VIBURNUM X RHYTIDOPHYLLOIDES 'ALLEGHANY'	ALLEGHANY VIBURNUM	3-4'	B+B
	SUBTOTAL:	128				
	EVERGREEN SHRUB(S)					
	JDP	29	JUNIPERUS DAURICA 'PARSON'	PARSON JUNIPER	15-18" SPRD.	#3 CAN
	KL	36	KALMIA LATIFOLIA	MOUNTAIN LAUREL	30-36"	B+B
	SUBTOTAL:	65				

**Landscape Plan
Exhibit 44(e)**

Mr. McWilliams opined that the landscaping proposed meets the perimeter screening requirements of the Zoning Ordinance as well as the tree canopy requirements for the parking areas. T. 52. There is existing vegetation along Gravel Lot C, which includes a large oak in its center. He's estimated that the oak has a canopy of approximately 250 square feet. They have supplemented this with additional canopy trees along the edges. For Gravel Lot A, they propose to add additional canopy trees to meet the canopy coverage requirements. T. 53.

The Applicant does not propose any sign for the business on the property. Exhibit 51, p. 17. Nor does the Applicant propose to make any significant changes to lighting on the property. Outdoor lighting will consist of four mounted security lights, three of which are existing motion sensor lights mounted on the north side of Building A. The Staff report is somewhat unclear as to whether any of the lights are new. It refers to a “proposed” light to be mounted on Pole Barn B, but then states that “[n]o new light fixtures are proposed.” *Id.*

3. Operations

Mr. Mamana described the existing (and proposed) operations. Hours of operations are Monday through Friday, from 6:00 a.m. to 5:00 p.m. During busy seasons, they have Saturday hours from 8:00 a.m. to 4:00 p.m. except that snow removal is provided when needed on a 24-hour basis. T. 16.

The business currently has 53 employees that arrive at the site in different shifts. T. 20-22. Staff summarized these shifts in a table in the Staff Report (Exhibit 51, p. 21):

Shifts	Employees	Total
Shift 1 6:00 a.m. - 5:00 p.m.	6 managers	6
Shift 2 6:30 a.m. - 3:00 p.m.	23 laborers/truck drivers 1 yard staff	24
Shift 3 7:00 a.m. – 3:30 p.m.	19 laborers/truck drivers 1 yard staff	20
Shift 4 9:00 a.m. to 5:00 p.m.	1 yard staff 2 office	3

The business will utilize several pieces of equipment, summarized in the Technical Staff Report (Exhibit 44(d)):

- 1 large loader
- 4 skid steers
- 30 trucks
- 2 mini-excavators
- 15 trailers (non-dumping)

- 1 tractor

Mr. Mamana testified that the equipment is stored in designated parking spaces in front of the shop area, which is marked as Pole Barn B. T. 19.

D. Community Response

Mr. Mamana testified that he has excellent relations with all of his neighbors and has communicated with them regarding his application for the conditional use. He stated that the neighbors have been “overwhelmingly supportive” of the proposal. T. 24. He submitted letters of support from eleven neighbors adjacent to and nearby the property. Exhibits 55, 57.

Mr. Brent Morse testified at the public hearing. He lives directly across Damascus Road from the entrance to the subject property. T. 9. His sole concern is with the noise of heavy equipment, and specifically, large trucks that enter and leave the property on a regular basis. He is used to the existing level of traffic and traffic noise, but did not want an increase in truck traffic. If there is an increase, he would ask for some conditions prohibiting the trucks from using their airbrakes within a certain distance of the residence. T. 11-12.

Mr. Morse explained that an airbrake is used to slow heavy trucks with loads in a short period of time by downshifting and using the compression of the engine to slow the truck. They are also called jake brakes. According to him, they can increase the noise from a truck quite dramatically when they are carrying heavy loads and come to a quick stop. T. 12.

In response to Mr. Morse’s concerns, Mr. Mamana testified that the business itself does not use any trucks with airbrakes, but acknowledged that deliveries came from trucks large enough to have airbrakes. He is willing to instruct those third party vendors not to rely on their airbrake when making deliveries to the site. T. 18.

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

A conditional use is a zoning device that authorizes certain uses provided that pre-set legislative standards are met. Pre-set legislative standards are both specific and general. General standards are those findings that must be made for all conditional uses. *Zoning Ordinance*, §59.7.3.1.E. Specific standards are those which apply to the particular use requested, in this case, a landscape contractor business. *Zoning Ordinance* §59.3.5.5.

Weighing all the testimony and evidence of record under the “preponderance of the evidence” standard specified in *Zoning Ordinance* §59.7.1.1, the Hearing Examiner concludes that the conditional use proposed in this application, as governed by the conditions imposed in Part IV of this Report and Decision, would satisfy all of the specific and general requirements for the use.

A. Necessary Findings (Section 59.7.3.1.E.)

The general findings necessary to approve a conditional use are found in Section 59.7.3.1.E of the Zoning Ordinance. Standards pertinent to this review, and the Hearing Examiner’s conclusions for each finding, are set forth below:¹

E. Necessary Findings

1. To approve a conditional use application, the Hearing Examiner must find that the proposed development:

a. satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended;

Conclusion: Staff advises that there is no previous conditional use approved for the property, therefore, this standard is inapplicable.

b. satisfies the requirements of the zone, use standards under Article 59-3, and applicable general requirements under Article 59-6;

¹ Although §59.7.3.1.E. contains six subsections (E.1. through E.6.), only subsections 59.7.3.1.E.1., E.2. and E.3. contain provisions that apply to this application. Section 59.7.3.1.E.1. contains seven subparts, a. through g.

Conclusion: This subsection requires an analysis of the standards of the AR Zone contained in Article 59-4; the use standards for a Landscape Contractor in Article 59-3; and the applicable development standards in Article 59-6. Each of these Articles is discussed below in separate sections of this Report and Decision (Parts III. B, C, and D, respectively). Based on the analysis contained in those discussions, the Hearing Examiner finds that the application satisfies the requirements of Articles 59-3, 59-4 and 59-6, with the conditions of approval set forth in Part IV of this Report and Decision.

c. substantially conforms with the recommendations of the applicable master plan;

Conclusion: The property lies within the geographic area covered by the *2005 Olney Master Plan* (Master Plan or Plan). It is within an area designated as “Unity Village,” which is within a larger area known as “Northern Olney.” Exhibit 51, p. 22. The Plan articulates the following land use goals applicable to this property (*Plan*, p. 15):

1. Reinforce the concept of Olney as a satellite community in the residential and agricultural wedge area.
2. Protect the Patuxent watershed including the drinking water reservoir, and agricultural and rural open space.

Because there are multiple watersheds in Northern Olney that drain to the Triadelphia Reservoir, part of the area’s water supply, the Plan reconfirmed the existing rural zoning in the area west of Georgia Avenue, including the subject property. It also focused on protecting forested areas, wetlands and other sensitive environmental features. *Plan*, pp. 18-19.

The Master Plan also contains specific guidelines for special exception uses (*Plan*, p. 42):

1. Discourage special exception uses along Georgia Avenue between Norbeck Road and Town Center to preserve its low-density residential character.

2. Minimize negative impacts of special exception uses such as non-residential character, visibility of parking lots, excessive size, height and scale of buildings, and intrusive lighting.
3. Discourage special exception uses with excessive imperviousness levels.

Conclusion: Staff found that the application substantially conformed to the Master Plan because of its low impervious surface levels. Staff stated that the use is “within the appropriate threshold of the impervious surface limitations for those portions of the Property within the PMA.” Exhibit 51, p. 22. After Staff revised the Plan’s impervious area calculations to include the additional impervious area from widening the driveway, it still found that the impervious limits of 10.9% of the total site and 7.5% of the PMA area were acceptable. Exhibit 64. Staff found that the upgraded septic system and approved Forest Conservation Plan also contributed to the Plan’s goals to maintain forested areas and protect the integrity of the drinking water supply. *Id.* at 22-23.

The Hearing Examiner agrees that the use complies with the Master Plan for the reasons given by Staff. The Hearing Examiner also finds that the combination of existing screening and new landscaping and the distance from Damascus Road significantly minimize the non-commercial aspects of the use, in accordance with the Plan’s recommendations for special exceptions.

d. is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan;

Conclusion: Staff concluded that, with the recommended conditions of approval, the proposed use would be in harmony with the agricultural and residential character of the neighborhood. Staff noted that extensive landscaping, adequate setbacks, and substantial green space will remain on the site. Staff found, “[t]here is extensive buffering, in the form of landscaping, afforestation, fencing and preservation of wooded areas, between the nearest residential properties and the proposed use.” Exhibit 51, p. 23.

While Staff felt that it was unlikely that the use would generate a significant level of noise, Mr. Morse testified that the airbrakes from vehicles making deliveries to the property were bothersome. Mr. Mamana agreed to a condition requiring him to instruct drivers making deliveries to the property not to use their airbrakes when making deliveries. With this condition, the Hearing Examiner finds that the use will not alter the character of the surrounding neighborhood.

e. will not, when evaluated in conjunction with existing and approved conditional uses in any neighboring Residential Detached zone, increase the number, intensity, or scope of conditional uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area; a conditional use application that substantially conforms with the recommendations of a master plan does not alter the nature of an area;

Conclusion: Staff advises that a special exception for the PEPCO right-of-way abutting the northeastern property line was approved in 1972. Staff notes another landscape contractor special exception (S-1713, approved in 1983), but that is outside of the neighborhood. *Id.* at 23. Given the latter, and the fact that the PEPCO electric line does not generate a significant amount of activity, the Hearing Examiner finds that approval of this conditional use will not adversely affect the residential/agricultural character of the area.

f. will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the conditional use is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required; and:

i. if a preliminary subdivision plan is not filed concurrently or required subsequently, the Hearing Examiner must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage; or

ii. if a preliminary subdivision plan is filed concurrently or required subsequently, the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage; and

Conclusion: Staff advises that, at present, the conditional use will not need a preliminary plan because no new buildings are proposed. Nevertheless, the violation notice served by the County lists the failure to obtain a building permit as a pending violation. Staff required the Applicant to submit information regarding adequate public facilities because the building permit would trigger the requirement for preliminary plan approval. *Id.* at 24. The Hearing Examiner notes that even without the building permit, adequate public facilities review is required because of the “new” conditional use on the property.

The adequacy of roadways are subject to two tests—Local Area Transportation Review (LATR) and Policy Area Transportation Review (TPAR). LATR tests the capacity of local roadways to handle the traffic generated by the use and is required when a proposed use generates 30 or more trips during the morning and evening peak hour. Based on the Applicant’s Traffic Statement, Staff concluded that the use is exempt from LATR because it generates only 26 total trips during the morning peak hour and 19 trips in the evening peak hours. *Id.*

Mr. Michael Lenhart, the Applicant’s expert in traffic engineering and transportation planning, testified that the Traffic Statement (Exhibit 59) is based on actual counts at the driveway on November 14, 2015, during peak periods, which are 6:30 a.m. to 9:30 a.m. and 4:00 p.m. to 7:00 p.m. He observed that the managers arrive before the peak period, around 6:00 a.m. The first shift of workers arrive at 6:30 a.m., and he observed a number of these workers entering prior to 6:30 a.m. In his experience, this type of use also has a significant number of employees who carpool or come in vans. During the actual traffic count, his firm observed single vehicles carrying

multiple employees, such as vans and carpools. After arriving at the site, crews leave in work trucks with two to five people per truck. As a result, vehicles have a high number of occupancies, keeping the number of vehicles low. The office workers don't arrive until later in the peak period, which results in a relatively even distribution of traffic entering and existing the property. T. 57.

Mr. Lenhart also clarified why the Planning Board did not recommended against a condition of approval limiting the number of employees on-site at one time to 26. His study was based on the arrival and departure times of the employees; thus, there is no correlation between trips to and from the site and the number of people are on-site at any given time. In his opinion, Staff incorrectly correlated the number of people on-site with the number of trips. T. 64. The Applicant requested to revise the condition of approval to limit the maximum number of employees on-site to 53, in accordance with the Applicant's stated operations (Exhibit 61). The Hearing Examiner agrees with Mr. Lenhart that traffic generated will not exceed 30 trips in the morning and evening peak hours based on his counts, and the stated arrival and departure times of employees.

As for TPAR, the property is located within the Rural East Policy Area, which is exempt from the transit and roadway test; therefore, no TPAR impact tax is required.

Other public facilities, including schools, water and sewer service, and utilities must be adequate to serve the use. The Applicant provided a copy of the approved permit for an upgraded septic system at the public hearing. Exhibit 58. Staff advises that utilities (electric and telephone) are adequate to serve the use. The closest fire and police stations are 7 and 6 miles from the property, respectively. The use does not have any impact on schools. Staff concluded that, "[w]ith approval of pending applications for septic and building permits, the Conditional Use will continue to be served by adequate facilities."

Based on this evidence, the Hearing Examiner finds that there are sufficient public facilities to serve the proposed use.

g. will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories:

- i. the use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood;*
- ii. traffic, noise, odors, dust, illumination, or a lack of parking; or*
- iii. the health, safety, or welfare of neighboring residents, visitors, or employees.*

Conclusion: This standard requires consideration of the inherent and non-inherent adverse effects of the proposed use, at the proposed location, on nearby properties and the general neighborhood. *Inherent adverse effects* are “adverse effects created by physical or operational characteristics of a conditional use necessarily associated with a particular use, regardless of its physical size or scale of operations.” Zoning Ordinance, §59.1.4.2. *Non-inherent adverse effects* are “adverse effects created by physical or operational characteristics of a conditional use not necessarily associated with the particular use or created by an unusual characteristic of the site.” *Id.* As specified in §59.7.3.1.E.1.g, quoted above, non-inherent adverse effects in the listed categories, alone or in conjunction with inherent effects in those categories, are a sufficient basis to deny a conditional use. Inherent adverse effects, alone, are not a sufficient basis for denial of a special exception.

Analysis of inherent and non-inherent adverse effects must establish what physical and operational characteristics are necessarily associated with a landscape contractor business. Characteristics of the proposed use that are consistent with the characteristics thus identified will be considered inherent adverse effects. Physical and operational characteristics of the proposed

use that are not consistent with the those identified *or* adverse effects created by unusual site conditions will be considered non-inherent adverse effects. The inherent and non-inherent effects then must be analyzed, in the context of the subject property and the general neighborhood, to determine whether these effects are acceptable or would create adverse impacts sufficient to result in denial.

Technical Staff have identified seven characteristics to consider when analyzing inherent and non-inherent effects: size, scale, scope, light, noise, traffic and environment. Staff determined that the following physical and operational characteristics are necessarily associated with (*i.e.*, are inherent in) a landscape contractor business: (1) buildings, structures, outdoor areas for the storage of plants and gardening-related equipment; (2) outdoor storage of plant stock, mulch, soil and landscaping materials in bulk and in containers, (3) on-site storage of business vehicles and equipment including small trucks and landscaping trailers, (4) traffic associated with trips to and from the site by employees, suppliers, and customers, (5) adequate parking areas to accommodate customers and Staff, (6) dust and noise associated with the movement of landscaping products and the loading and unloading of equipment associated with the landscaping business, and (7) hours of operation. Exhibit 51, p. 26.

Staff concluded that the scale of the structures, impervious areas, and operations were all typical of business of this type, but concluded that the location of the property within the Patuxent PMA was a non-inherent condition. Nevertheless, Staff concluded that this non-inherent condition did not warrant denial because the impervious areas were within the limits recommended for the PMA. Staff also concluded that vehicular movements on the road will not cause undue harm to the neighborhood because the property is surrounded by active agricultural uses and the closest residential homes are sufficiently buffered by landscaping. *Id.*

Staff concluded that the proposed use would not cause significant noise because the business operations are well within the site. Staff, however, did not have the benefit of Mr. Morse's testimony regarding the noise from air brakes on trucks making deliveries to the site. Mr. Mamana agreed to a condition requiring him to instruct drivers not to use their air brakes when making deliveries to the property. The Hearing Examiner finds that this adequately addresses the issues raised by Mr. Morse, and that the proposed use will not cause an inordinate amount of noise at the access point.

2. Any structure to be constructed, reconstructed, or altered under a conditional use in a Residential Detached zone must be compatible with the character of the residential neighborhood.

Conclusion: The property is in an agricultural zone, therefore, this standard does not apply to the application.

3. The fact that a proposed use satisfies all specific requirements to approve a conditional use does not create a presumption that the use is compatible with nearby properties and, in itself, is not sufficient to require conditional use approval.

Conclusion: The application satisfies all specific requirements for the conditional use, and as discussed above, the proposed use will be compatible with the neighborhood with the conditions proposed.

B. Development Standards of the Zone (Article 59.4)

In order to approve a conditional use, the Hearing Examiner must find that the application meets the development standards of the zone where the use will be located – in this case, the AR Zone. Staff compared the minimum development standards of the AR Zone to those provided by the application in a table included in the Staff Report (Exhibit 51, p. 11, on the following page.)

Development Standards AR Zone			
AR-Zone	Required		Proposed/Existing
	59-4.2.F	59-3.5.5 Landscape Contractor	
Minimum Site Area	25 ac	2 ac	31.58 ac
Minimum Lot Area	40,000 SF		
Minimum Lot width:			
▪ at street line	25ft		75 ft
▪ at building line	125 ft		960 ft±
Maximum Building Coverage	10percent		1.28 percent total
Minimum Building Setback			
Principal Building:			
• front	50 ft		800±ft
• side street	50 ft		----
• side	20 ft		200±
• rear yard	35 ft		1,040±
Maximum Building Height	50 ft		25± ft
Minimum Building Setback			
Accessory structure:			
• front	50 ft		80.35
• side street	50 ft		
• side	15ft		95±
• rear yard	15 ft		81.93±
Minimum Setback for parking and loading		50 ft	>50 ft
Parking			
Min Vehicle Parking spaces	60 sp.	60 sp	85 sp
59-6.2.4 (See Table 2 below under			
Maximum Building Height	50 ft		25± ft
Minimum Parking Setbacks			
• Front		50 ft	230± ft
• Side 6.2.5.k.2		100	>200 ft
• Sum of sides (6.2.5.k.2)		200	>200 ft
• Rear (4.4.9.B.2)			

Conclusion: Based upon the above table, the Hearing Examiner concludes that the application meets all of the development standards of the AR Zone.

C. Use Standards for a Landscape Contractor Business (59.3.5.5)

The specific use standards for approval of a Landscape Contractor business are set out in Section 59.3.5.5 of the Zoning Ordinance. Standards applicable to this application are set forth

below, along with the Hearing Examiner's findings of fact and conclusions of law on each standard.

Section 59.3.5.5.B

Where a Landscape Contractor is allowed as a conditional use, it may be permitted by the Hearing Examiner under Section 7.3.1, Conditional Use, and the following standards:

1. In the Agricultural, Rural Residential, and Residential Detached zones the minimum lot area is 2 acres. The Hearing Examiner may require a larger area if warranted by the size and characteristics of the inventory or operation.

Conclusion: The property is approximately 31.58 acres, exceeding the minimum requirement.

This standard has been met.

2. Building and parking setbacks, including loading areas and other site operations, are a minimum of 50 feet from any lot line.

Conclusion: Staff concluded that building and parking areas are a minimum of 50 feet from any lot line, and this is evidenced on the site plan. Staff also noted that, "[a]dequate buffering and screening is provided in the form of a landscape strip, substantial distances from residential buildings, existing and mature trees and wooded areas, fencing, forest conservation easement and staff recommended additional plantings." Exhibit 51, p. 20. The Hearing Examiner agrees and finds that the application meets this standard.

3. The number of motor vehicles and trailers for equipment and supplies operated in connection with the contracting business or parked on-site must be limited by the Hearing Examiner to avoid an adverse impact on abutting uses. Adequate parking must be provided on-site for the total number of vehicles and trailers permitted.

Conclusion: The Applicant's equipment is specifically listed as a condition of approval in this application. Staff found that parking was adequate to accommodate both the equipment and the number of employees proposed, particularly because many of the employees carpool or take vans

to work. Exhibit 51, p. 20. Gravel Lots A and B have a total of 50 spaces, with four handicapped spaces along Pole Barn A; Gravel Lot C has a total of 28 spaces for a total of 78 spaces, exceeding the number of required spaces. *Id.* Additional areas that may be used for storage, originally marked on the site plan as parking spaces, are also provided.

The testimony and evidence supports a finding that the application provides adequate parking for both business equipment and employees. The existing gravel lots have more than the minimum number of parking spaces required and the additional spaces may be used for equipment storage. The Hearing Examiner finds that this standard has been met.

4. Sale of plant materials, garden supplies, or equipment is prohibited unless the contracting business is associated with a Nursery (Retail) or Nursery (Wholesale).

Conclusion: The Applicant does not propose to have retail sales to the public or operate a wholesale nursery on the premises, and this will be a condition of approval on the conditional use. The Hearing Examiner finds that this standard has been met.

5. The Hearing Examiner may regulate hours of operation and other on-site operations to avoid adverse impact on abutting uses.

Conclusion: Staff concluded that the operating hours proposed are “not likely to be disruptive to the adjacent properties or the general neighborhood.” While Mr. Morse complained of the noise from jake brakes on vehicles delivering supplies to the site, the Applicant has agreed to a condition requiring him to instruct the operators of those vehicles not to use their airbrakes when approaching, entering, or leaving the site. With this condition, the Hearing Examiner finds that the hours of operation proposed will not have an adverse impact on abutting uses.

D. General Development Standards (Article 59.6)

Article 59.6 sets the general requirements for site access, parking, screening, landscaping, lighting, and signs. The applicable requirements, and whether the use meets these requirements, are discussed below.

1. Site Access Standards:

Section 59.6.1 of the Zoning Ordinance imposes site access standards on conditional uses only in Residential Multi-Unit, Commercial/Residential, Employment, Industrial, and Floating zones, with the intent of “to ensure safe and convenient vehicular, bicycle, and pedestrian circulation within and between lots on the same block face and to reduce traffic congestion.” Because this property is within an agricultural zone, the site access standards do not apply. Nevertheless, Staff concluded that the driveway access proposed (with the widening to 20 feet) was adequate to serve both traffic to and from the site and fire department equipment. Exhibit 51, p. 25.

2. Parking Spaces Required, Parking Setbacks and Parking Lot Screening

The standards for the number of parking spaces required, parking setbacks and parking lot screening are governed by Division 6.2 of the Zoning Ordinance.

a. Number of Parking Spaces Required by Section 59.6.2.4

The applicable standards along with a comparison to what is provided are included in a table from the Staff Report, reproduced below (Exhibit 51, p. 13):

Section 59.6.2.4 Parking	Required	Provided
<ul style="list-style-type: none">Employee .50 sp/employee1sp/each Vehicles associated with useOffice 2.8 sp/1000 SF office	$53 \times .50 = 26.5 = 27$ $1 \times 30 = 30$ $2.8 \text{ sp}/1000 = 2.8 = 3$	32 50 3
Total	60 spaces including 3 handicapped spaces	85 including 4 Handicapped spaces

Conclusion: As can be seen from the above table, the site plan shows more than the minimum number of required spaces. According to Staff, the large number of spaces resulted from the Applicant's initial mistake in calculating the number of required spaces at 1 space per employee rather than ½ space per employee. Exhibit 51, p. 13.

Staff recommends removing the wheel stops that currently exist for those spaces that exceed the minimum 60 spaces required, although it did not state the rational for this. *Id.* Staff found it appropriate to use the remaining gravel area for storage of equipment. *Id.* The Hearing Examiner notes that much of the property is within a PMA area. Because the gravel lots currently exist and the property meets impervious area requirements, there is no condition of approval requiring their removal. To the extent, however, the removal of the wheel stops discourages employees from parking in those spaces and avoids the additional impervious area created by the stops, the Hearing Examiner agrees with Staff that the wheel stops should be removed.

b. Parking Lot Screening

Section 59.6.2.9.C sets out the screening requirements for conditional use parking lots having 10 or more spaces:

C. Parking Lot Requirements for 10 or More Spaces

1. Landscaped Area

a. A surface parking lot must have landscaped islands that are a minimum of 100 contiguous square feet each comprising a minimum of 5% of the total area of the surface parking lot. Where possible, any existing tree must be protected and incorporated into the design of the parking lot.

b. A maximum of 20 parking spaces may be located between islands.

c. A landscaped area may be used for a stormwater management ESD facility.

Conclusion: Staff concluded that the application meets these requirements even though none of the gravel parking areas contain landscaped islands. Noting that both Gravel Lots B and C have mature trees in the middle of the lot, Staff concluded that, “[g]iven the existing conditions of the parking lots, the vegetation within and at the perimeter of the lots, creation of landscaped islands would not be practical.” Exhibit 51, p. 15. Staff also advised that current and proposed landscaping comprised 30% of the total parking area, far in excess of the minimum 5% required. *Id.*

Staff provided no justification for an alternative method of compliance with the specific landscaping requirements under Section 59.6.8.1. As of December 21, 2015, however, this is not required because of the adoption of Zoning Text Amendment (ZTA) 15-09, effective on that date, permits the Hearing Examiner to approve deviations from the minimum screening standards “to the extent the Hearing Examiner finds necessary to ensure compatibility.” *Zoning Ordinance*, §59.7.3.1.E.1.b.

The Hearing Examiner finds that the proposed landscaping is more than sufficient to screen the parking areas for several reasons. The parking lots are in the interior of the site, well away from nearby houses, and are already screened by significant perimeter landscaping. In addition, the parking areas will both have additional canopy trees. Existing mature trees, which provide as much as 250 feet of canopy, would have to be removed to install landscaping island. Under §59.7.3.1.E.1.b, the Hearing Examiner finds that the screening proposed will be compatible with the surrounding area.

2. Tree Canopy

Each parking lot must maintain a minimum tree canopy of 25% coverage at 20 years of growth, as defined by the Planning Board's Trees Technical Manual, as amended.

Conclusion: Staff advised that 12 existing mature trees (most of which are over 20 years old) and proposed landscaping will meet these requirements. As noted, the mature trees have canopy coverage of 250 square feet. The new canopy trees will have the same coverage at 20 years old. Based on this evidence, the Hearing Examiner finds that this requirement has been met.

3. Perimeter Planting

a. The perimeter planting area for a property that abuts an Agricultural, Rural Residential, or Residential Detached zoned property that is vacant or improved with an agricultural or residential use must:

- i. be a minimum of 10 feet wide;**
- ii. contain a hedge, fence, or wall a minimum of 6 feet high;**
- iii. have a canopy tree planted every 30 feet on center; and**
- iv. have a minimum of 2 understory trees planted for every canopy tree.**

Conclusion: Staff did not specifically address whether the Applicant met the perimeter planting requirements for the parking areas nor does the Applicant's Landscape Plan address this issue (the Landscape Plan addresses only perimeter landscaping for the site). Exhibit 44(e). Mr. McWilliams testified that the screening on the property meets the requirements of the Zoning Ordinance. T. 53. The Hearing Examiner notes that Gravel Lots A and B have a number of mature trees on one or multiple sides and Lots B and C have mature trees in the center. Even if the parking lot screening does not meet the specific requirements noted above, the Hearing Examiner finds that the combination of existing and proposed landscaping shown on the Landscape Plan sufficiently ensures the compatibility of the use with surrounding properties and the neighborhood under Section 59.7.3.1.E.1.b. Again, these reasons include the interior location of the parking areas, the distance from neighboring houses, and the significant perimeter landscaping existing and proposed for the use.

c. Parking Lot Lighting

4. Lighting

Parking lot lighting must satisfy Section 6.4.4, General Outdoor Lighting Requirements.

Section 59.6.4.1 exempts existing lighting from the specific standards, leaving only the possibly new mounted light on Pole Barn B. Section 59.6.4.4.C.5 exempts new lighting for commercial businesses except for the following requirement:

E. Conditional Uses

Outdoor lighting for a conditional use must be directed, shielded, or screened to ensure that the illumination is 0.1 footcandles or less at any lot line that abuts a lot with a detached house building type, not located in a Commercial/Residential or Employment zone.

Conclusion: Staff concluded that:

There will be no light spillage to the adjacent properties. Outdoor lighting is limited to four (4) building mounted security lights: three (3) existing motion sensor lights are mounted on the north side of Building 'A' and one (1) proposed light mounted on the north side of Building 'B'. The wall mounted fixtures (types A and C) as shown on the Revised Landscape and Lighting Plan will provide adequate illumination directly adjacent to the existing Pole Barns. The wall mounted light fixtures have a minimum distance of 80-feet from the property boundary. Given the placement and type of light fixtures, Staff is able to conclude that the photometrics at the property line are less than 0.1 foot-candles. No new light fixtures are proposed.

The Hearing Examiner agrees with Staff's analysis, particularly because the fixtures will be mounted on the side of the barns interior to the lots, they are at a significant distance from adjoining properties, and there is significant screening around the site perimeter. The application meets the standards required.

3. Site Landscaping, Screening and Lighting

Standards for perimeter site landscaping and site lighting are set forth in Divisions 6.4 and 6.5 of the Zoning Ordinance. The stated intent of Division 6.4 is "*to preserve property values,*

preserve and strengthen the character of communities, and improve water and air quality.”

§59.6.4.1. The stated intent of Division 6.5 is “*to ensure appropriate screening between different building types and uses.*” Zoning Ordinance §59.6.5.1. These site screening and landscaping requirements are in addition to those that apply to screening and landscaping of parking facilities discussed above.

a. Lighting

This issue has already been discussed in the context of parking lot lighting above. The Hearing Examiner finds that the Applicant meets the standards of §69.6.4.4.E, requiring that illumination from the proposed use not exceed 0.1 foot-candles at the property lines.

b. Site Screening and Landscaping

Zoning Ordinance §59.6.5.2.B and 59.6.5.2.C contain the standards for perimeter site screening and landscaping:

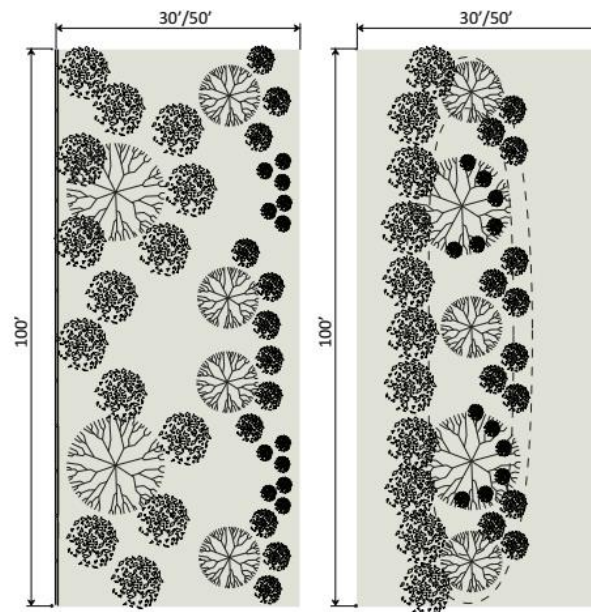
In the Agricultural, Rural Residential, and Residential Detached zones, a conditional use in any building type must provide screening under Section 6.5.3 if the subject lot abuts property in an Agricultural, Rural Residential, or Residential Detached zone that is vacant or improved with an agricultural or residential use.

- 1. The conditional use standards under Article 59-3 may exempt the development from this requirement.***
- 2. The Hearing Examiner may increase the amount of screening required for conditional use approval under Section 7.3.1.***

Turning to the requirements of Section 6.5.3., referenced in the above-quoted section, the subject site is covered by Subsection 6.5.3.C.7., which provides:

7. General Building with a Non-Industrial Use; Conditional Use in the Agricultural, Rural Residential, or Residential Detached Zones; and Conditional Use in a Detached House or Duplex in Any Other Zone

	Option A	Option B
Dimensions (min)		
Depth	8'	12'
Planting and Screening Requirements		
Trees (minimum per 100')		
Canopy	2	2
Understory or Evergreen	2	4
Shrubs (minimum per 100')		
Large	6	8
Medium	8	12
Small	8	--
Wall, Fence or Berm (min)	4' fence or wall	--



As is apparent, Section 6.5.3.C.7 gives two options, but within those options, the minimums are strictly prescribed by numbers and sizes of trees and shrubs.

Conclusion: Staff advises that the above requirements have been met through existing vegetation, additional plantings, and a 6-foot high board on board fence. The Applicant's expert in landscape architecture also testified that the extensive existing screening and proposed plantings met the requirements of the Zoning Ordinance. The Hearing Examiner finds that the application fulfills the screening requirements of the Zoning Ordinance.

4. Signage

Signage for the use is governed by Division 6.7. Zoning Ordinance §59.6.7.8.A.1 sets the standards for signs in Residential Zones:

A. Base Sign Area

The maximum total area of all permanent signs on a lot or parcel in a Residential zone is 2 square feet, unless additional area is permitted under Division 6.7.

1. Freestanding Sign

- a. One freestanding sign is allowed.*
- b. The minimum setback for a sign is 5 feet from the property line.*
- c. The maximum height of the sign is 5 feet.*
- d. Illumination is prohibited.*

Conclusion: No signage for the property is proposed.

IV. Conclusion and Decision

As set forth above, the application meets all the standards for approval in Articles 59-3, 59-4, 59-6 and 59-7 of the Zoning Ordinance.

Based on the foregoing findings and conclusions and a thorough review of the entire record, the application of David Mamana, Greenskeeper Landscaping and Lawn Management, Inc., for a conditional use under Section 59.3.5.5 of the Zoning Ordinance, to operate a landscape contractor business at 3309 Damascus Road, Brookeville, Maryland, is hereby **GRANTED**, subject to the following conditions:

1. The Applicant shall be bound by all of testimony and exhibits of record, and by the testimony of its witnesses and the representations of counsel identified in this Report and Decision.
2. All improvements on the property must comply with the Applicant's Conditional Use Site Plan (Exhibit (44(d)) and Landscape and Lighting Plan (Exhibit 44(e)).
3. The landscape contractor business may have no more than 53 employees.
4. Equipment and machinery for the proposed use is limited to 1 large loader, 4 skid steers, 30 trucks, 2 mini-excavators, and 15 trailers (non-dumping).

5. Hours of operation shall be Monday through Friday from 6:00 a.m. to 5:00 p.m. and Saturday from 8:00 a.m. to 4:00 p.m. Snow removal may be provided when needed seven days a week, 24 hours a day.
6. The Applicant must limit impervious surfaces to no more than 10.9 percent of the net tract area and no more than 7.5 percent within the transition area of the Primary Management Area.
7. The conditional use must comply with the conditions of the Final Forest Conservation Plan.
8. At least one of the four handicap spaces must be a van-accessible space.
9. The existing dead-end gravel driveway extensions, located on the eastern side of the property (near Pole Barns C and D) must be eliminated.
10. The Applicant may have no more than 60 wheel stops in the gravel parking areas and the remaining gravel areas must be reserved storage or parking of equipment.
11. Prior to issuance of a Use and Occupancy Permit, the Applicant must submit a final Fire Access Plan approved by the Montgomery County Department of Fire and Rescue Services to the Office of Zoning and Administrative Hearings.
12. Prior to issuance of a Use and Occupancy Permit, the Applicant must record a septic covenant with the Department of Permitting Services. A copy of the approved covenant must be submitted to the Office of Zoning and Administrative Hearings.
13. The Applicant shall instruct all drivers of vehicles making deliveries to the site not to use their air brakes when approaching, entering or exiting the facility.
14. Sale of plant materials, garden supplies, or equipment is prohibited
15. The Applicant must obtain and satisfy the requirements of all licenses and permits, including but not limited to building permits and use and occupancy permits, necessary to occupy the conditional use premises and operate the conditional use as granted herein. The Applicant shall at all times ensure that the conditional use and premises comply with all applicable codes (including but not limited to building, life safety and handicapped accessibility requirements), regulations, directives and other governmental requirements.

Issued this 11th day of January, 2016.



Lynn A. Robeson
Hearing Examiner

NOTICE OF RIGHT TO REQUEST ORAL ARGUMENT

Any party of record or aggrieved party may file a written request to present oral argument before the Board of Appeals, in writing, within 10 days after the Office of Zoning and Administrative Hearings issues the Hearing Examiner's report and decision. Any party of record or aggrieved party may, no later than 5 days after a request for oral argument is filed, file a written opposition or request to participate in oral argument.

Contact information for the Board of Appeals is listed below, and additional procedures are specified in Zoning Ordinance §59.7.3.1.F.1.c.

Montgomery County Board of Appeals
100 Maryland Avenue, Room 217
Rockville, MD 20850
(240) 777-6600

COPIES TO:

Robert Antonetti, Esquire
Barbara Jay, Executive Director
Montgomery County Board of Appeals
Elsabett Tesfaye, Montgomery County Planning Department



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

July 20, 2020

Mr. Ryan Sigworth, Senior Planner
Area 3 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910-3760

RE: Preliminary Plan No. 120190110
Greenskeeper Landscaping

Dear Mr. Sigworth:

We have completed our review of the preliminary plan dated February 18, 2020 that was reviewed by the Development Review Committee at its March 3, 2020 meeting. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services (DPS) in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

Significant Plan Review Comments

1. Necessary dedication along Damascus Road (MD 650) in accordance with the master plan. We defer to Maryland State Highway MDSHA for any improvements along Damascus Road (MD-650).
2. We recommend the Planning Board require the applicant construct the master planned bikeable shoulders along the Damascus Road (MD-650) frontage.

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

Standard Comments

1. Since the site drains to Damascus Road (MD-650) and any storm drain/inlet relocations along Damascus Road (MD-650) shall be approved by MDSHA.
2. We defer to MDSHA for the sight distance for the proposed access.
3. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact myself for this project at brenda.pardo@montgomerycountymd.gov or at (240) 777-7170.

Sincerely,

Brenda M. Pardo

Brenda M. Pardo, Engineer III
Development Review Team
Office to Transportation Policy

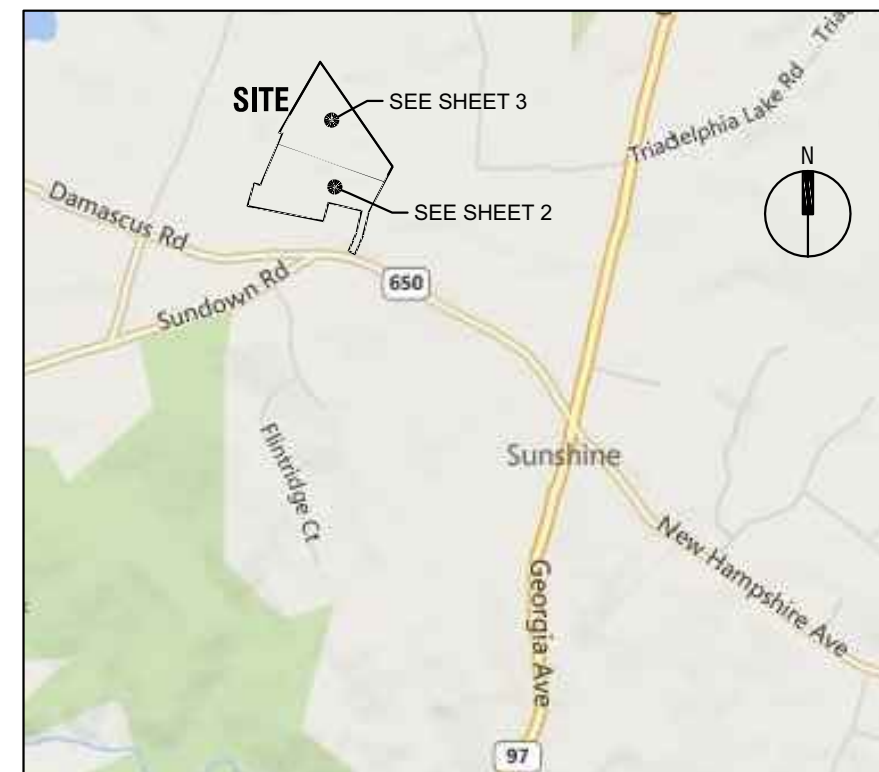
[SharePoint\teams\DOT\Director's Office\Development Review\Brenda\Preliminary Plan\PP120190110 Greenskeeper Landscaping\Letters\120190110-Greenskeeper Landscaping-DOT Preliminary Plan Letter_7.20.20](#)

cc: Correspondence folder FY 2021

cc-e: Mike Razavi	Raztec Associates, Inc.
Mark Terry	MCDOT DTEO
Atiq Panjshiri	MCDPS RWPR
Sam Farhadi	MCDPS RWPR
Rebecca Torma	MCDOT OTP

STORMWATER MANAGEMENT PLAN & EROSION AND SEDIMENT CONTROL PLAN

3309 DAMASCUS ROAD
BROOKVILLE, MD 20833



VICINITY MAP
SCALE: 1"=200'

Attachment 14

Erosion and Sediment Control Notes

- The permittee shall notify the Department of Permitting Services (DPS) forty-eight (48) hours before commencing any land disturbing activity and, unless waived by the Department, shall be required to hold a pre-construction meeting between them or their representative, their engineer and an authorized representative of the Department.
- The permittee shall obtain inspection and approval by DPS at the following points:
 - At the required pre-construction meeting.
 - Following installation of sediment control measures and prior to any other land disturbing activity.
 - During the installation of a sediment basin or stormwater management structure at the required inspection points (see Inspection Checklist on plan). Notification prior to commencing construction is mandatory.
 - Prior to removal or modification of any sediment control structure(s).
 - Prior to final acceptance.
- The permittee shall construct all erosion and sediment control measures per the approved plan and construction sequence, shall have them inspected and approved by the Department prior to beginning any other land disturbances, shall ensure that all runoff from disturbed areas is directed to the sediment control devices, and shall not remove any erosion or sediment control measure without prior permission from the Department.
- The permittee shall protect all points of construction ingress and egress to prevent the deposition of materials onto traversed public thoroughfare(s). All materials deposited onto public thoroughfare(s) shall be removed immediately.
- The permittee shall inspect periodically and maintain continuously in effective operating condition, all erosion and sediment control measures until such time as they are removed with prior permission from the Department. The permittee is responsible for immediately repairing or replacing any sediment control measures which have been damaged or removed by the permittee or any other person.
- Following initial soil disturbance or re-disturbance, permanent or temporary stabilization must be completed within:
 - Three (3) calendar days as to the surface of all perimeter dikes, swales, ditches, perimeter slopes and all slopes steeper than 3 horizontal to 1 vertical (3:1), and
 - Seven (7) calendar days as to all other disturbed or graded areas on the project site not under active grading.

All areas disturbed outside of the perimeter sediment control system must be minimized and stabilized immediately. Maintenance must be performed as necessary to ensure continued stabilization.

- The permittee shall apply sod, seed, and anchored straw mulch, or other approved stabilization measures to all disturbed areas within seven (7) calendar days after stripping and grading activities have ceased on that area. Maintenance shall be performed as necessary to ensure continued stabilization. Active construction areas such as borrow or stockpile areas, roadway improvements, and areas within fifty (50) feet of a building under construction may be exempt from this requirement, provided that erosion and sediment control measures are installed and maintained to protect those areas.
- Prior to removal of sediment control measures, the permittee shall stabilize all contributory disturbed areas with required soil amendments and topsoil, using sod or an approved permanent seed mixture and an approved anchored mulch. Wood fiber mulch may only be used in seeding season when the slope does not exceed 10% and grading has been done to promote sheet flow drainage. Areas brought to finished grade during the seeding season shall be permanently stabilized within seven (7) calendar days of establishment. When property is brought to finished grade during the months of November through February, and permanent stabilization is found to be impractical, an approved temporary seed and straw anchored mulch shall be applied to disturbed areas. The final permanent stabilization of such property shall be completed prior to the following April 15.
- The site permit, work, materials, approved SCS/MS plans, and test reports shall be available at the site for inspection by duly authorized officials of Montgomery County.
- Surface drainage flows over unauthorized cut and fill slopes shall be controlled by either preventing drainage flows from traversing the slopes or by installing mechanical devices to lower the water down slope without causing erosion. Dikes shall be installed and maintained at the top of cut or fill slopes until the slope and drainage area to it carefully stabilized, at which time they must be removed and final grading done to promote sheet flow drainage. Mechanical devices must be provided at points of concentrated flow where erosion is likely to occur.
- Permanent swales or other points of concentrated water flow shall be stabilized within 3 calendar days of establishment with sod or seed with approved erosion control matting or by other approved stabilization measures.
- Sediment control devices shall be removed, with permission of the Department, within thirty (30) calendar days following establishment of permanent stabilization in all contributory drainage areas. Stormwater management structures used temporarily for sediment control shall be converted to the permanent configuration within this time period as well.
- No permanent cut or fill slope with a gradient steeper than 3:1 will be permitted in lawn maintenance areas or on residential lots. A slope gradient of up to 2:1 will be permitted in non-maintenance areas provided that these areas are indicated on the erosion and sediment control plan with a low-maintenance ground cover specified for permanent stabilization. Slope gradient steeper than 2:1 will not be permitted with vegetative stabilization.
- The permittee shall install a splashblock at the bottom of each downspout unless the downspout is connected by a drain line to an acceptable outlet.
- For finished grading, the permittee shall provide adequate gradients so as to prevent water from standing on the surface of lawns more than twenty-four (24) hours after the end of a rainfall, except in designated drainage courses and swale flow areas, which may drain as long as forty-eight (48) hours after the end of a rainfall.
- Sediment traps or basins are not permitted within 20 feet of a building which is existing or under construction. No building may be constructed within 20 feet of a sediment trap or basin.
- All inlets in non-sump areas shall have asphalt berms installed at the time of base paving establishment.
- The sediment control inspector has the option of requiring additional sediment control measures, as deemed necessary.
- All trap elevations are relative to the outlet elevation, which must be on existing undisturbed ground.
- Vegetative stabilization shall be performed in accordance with the Standards and Specifications for Soil Erosion and Sediment Control.
- Sediment trap(s)/basin(s) shall be cleaned out and restored to the original dimensions when sediment has accumulated to the point of one-half (1/2) the wet storage depth of the trap/basin (1) the wet storage depth for ST-40) or when required by the sediment control inspector.
- Sediment removed from traps/basins shall be placed and stabilized in approved areas, but not within a floodplain.
- All sediment basins and traps must be surrounded with a welded wire safety fence. The fence must be at least 42 inches high, have posts spaced no farther apart than 8 feet, have mesh openings no greater than two inches in width and four inches in height, with a minimum of 14 gauge wire. Safety fence must be maintained in good condition at all times.
- No excavation in the areas of existing utilities is permitted unless their location has been determined. Call "Miss Utility" at 1-800-257-7777, 48 hours prior to the start of work.
- Off-site spoil or borrow areas must have prior approval by DPS.
- Sediment trap/basin dewatering for cleanup or repair may only be done with the DPS inspector's permission. The inspector must approve the dewatering method for each application. The following methods may be considered:
 - Pump discharge may be directed to another on-site sediment trap or basin, provided it is of sufficient volume and the pump intake is floated to prevent agitation or suction of deposited sediments; or
 - the pump intake may utilize a Removable Pumping Station and must discharge into an undisturbed area through a non-erosive outlet; or
 - the pump intake may be floated and discharge into a Dirt Bag (12 oz. non-woven fabric), or approved equivalent, located in an undisturbed buffer area.
- Remember: Dewatering operation and method must have prior approval by the DPS inspector.
- The permittee must notify the Department of all utility construction activities within the permitted limits of disturbance prior to the commencement of those activities.
- Topsoil must be applied to all previous areas within the limits of disturbance prior to permanent stabilization in accordance with MDE "Standards and Specifications for Soil Preparation, Topsoiling, and Soil Amendments".

TREE CANOPY REQUIREMENTS TABLE

To be completed by the consultant and placed on the first sheet of the Sediment Control / Stormwater Management plan set for all projects.

Exempt: Yes ☒ No ☐ If exempt under Section 55-5 of the Code, please check the applicable exemption category below.

Total Property Area	Total Disturbed Area
1,375,510 square feet	61,820 square feet

Shade Trees Required	Shade Trees Proposed to be Planted
0	0

Fee In Lieu
(Trees Required - Trees Planted) x \$250 \$ 0

Required Number of Shade Trees

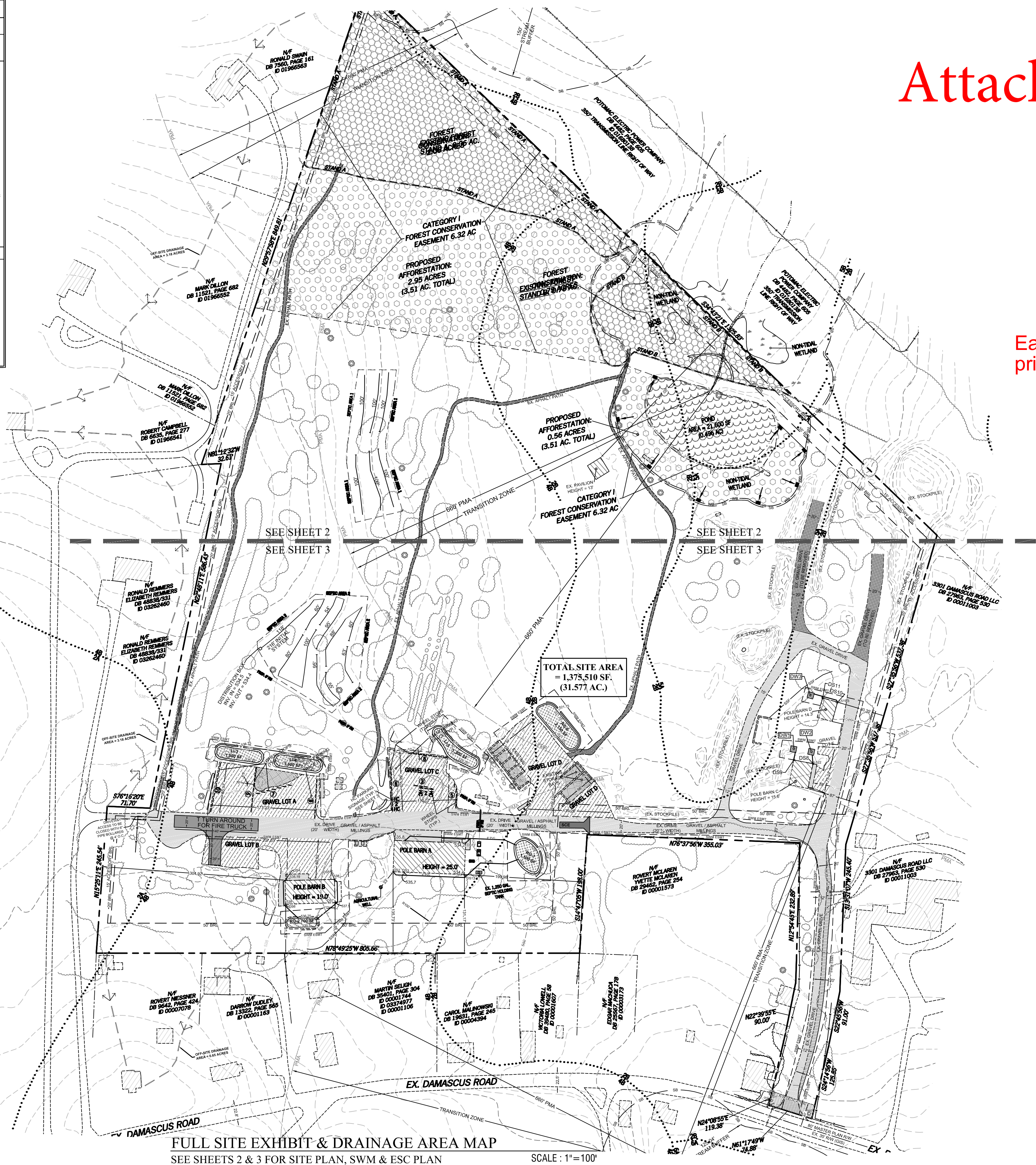
Area (sq. ft.) of the Limits of Disturbance	Number of Shade Trees Required
FROM TO	
1 6,000	3
6,001 8,000	6
8,001 12,000	9
12,001 14,000	12
14,001 40,000	15

If the square footage of the limits of disturbance is more than 40,000, then the number of shade trees required must be calculated using the following formula:

$$(\text{Number of Square Feet in Limits of Disturbance} \div 40,000) \times 15$$

EXEMPTION CATEGORIES:

- ☒ 55-5(a) any activity that is subject to Article II of Chapter 22A
- ☐ 55-5(b) any commercial logging or timber harvesting operation with an approved exemption from Article I or Chapter 22A.
- ☐ 55-5(f) any activity conducted by the County Parks Department.
- ☐ 55-5(g) routine or emergency maintenance of an existing stormwater management facility, including an existing access road, if the person performing the maintenance has obtained all required permits;
- ☐ 55-5(h) any stream restoration project if the person performing the work has obtained all necessary permits.
- ☐ 55-5(i) cutting or clearing any tree to comply with applicable provisions of any federal, state, or local law governing safety of dams.
- ☐ OTHER: Specify per Section 55-5 of the Code.



FULL SITE EXHIBIT & DRAINAGE AREA MAP

SEE SHEETS 2 & 3 FOR SITE PLAN, SWM & ESC PLAN

SCALE: 1"=100'

TOTAL LIMITS OF DISTURBANCE (LOD) = 1.42 ACRES

100' 50' 0' 100' 200'
SCALE: 1"=100'

DESIGN CERTIFICATION

I hereby certify that this plan has been prepared in accordance with the "2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control," Montgomery County Department of Permitting Services Executive Regulations 5-90, 7-02AM and 36-90, and Montgomery County Department of Public Works and Transportation "Storm Drain Design Criteria" dated August 1988.

Design Engineer Signature M. RAZAVI Date 6/9/2020
Printed Name Registration Number 22742

CERTIFICATION OF THE QUANTITIES

I hereby certify that the estimated total amount of excavation and fill as shown on these plans has been computed to 200 cubic yards of excavation, 50 cubic yards of fill and the total area to be disturbed as shown on these plans has been determined to be 61,820 square feet.

Signature M. RAZAVI Date 6/9/2020
Printed Name and Title Registration Number 22742

RELATED REQUIRED PERMITS

To be completed by the consultant and placed on the first sheet of the Sediment Control / Stormwater Management plan set for all projects.

IT IS THE RESPONSIBILITY OF PERMITTEE/OWNER OF THIS SITE TO OBTAIN ALL REQUIRED PERMITS PRIOR TO ISSUANCE OF THE APPROVED SEDIMENT CONTROL PERMIT

TYPE OF PERMIT	REQD	NOT REQD	PERMIT #	EXPIRATION DATE	WORK RESTRICTION DATES
MCDPS Floodplain District		X			
WATERWAYS/WETLAND(S):		X			
a. Corps of Engineers		X			
b. MDE		X			
c. MDE Water Quality Certification		X			
MDE Dam Safety		X			
* DPS Roadside Trees Protection Plan		X		Approval Date	
N.P.D.E.S. NOTICE OF INTENT	X				DATE FILED
FEMA LOMR (Required Post Construction)		X			
OTHERS (Please List):					

* A copy of the approved Roadside Trees Protection Plan must be delivered to the sediment control inspector at the preconstruction meeting.

SEQUENCE OF CONSTRUCTION:

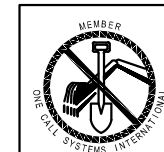
- Prior to clearing of trees, installing sediment control measures, or grading, a preconstruction meeting must be conducted on-site with the Montgomery County Department of Permitting Services (MCDPS) Sediment Control Inspector (240) 777-0311 (48 hours notice), and the MNCPPC, Planning Department, Plans Enforcement Inspector (301) 495-4550 (48 hours notice), the Owner's representative, and the Site Engineer. In order for the meeting to occur, the applicant must provide one paper set of approved sediment control plans to the MCDPS sediment control inspector at the preconstruction meeting. If no plans are provided, the meeting shall not occur and will need to be rescheduled prior to commencing any work.
- The limits of disturbance must be field marked prior to clearing of trees, installation of sediment control measures, construction, or other land disturbing activities.
- The permittee must obtain written approval from the MNCPPC inspector, certifying that the limits of disturbance and tree protection measures are correctly marked and installed prior to commencing any clearing.
- Clear and grade for installation of sediment control devices.
- Install super silt fence, as shown on the plan.
- Obtain written approval from the sediment control inspector, before proceeding with any additional clearing, grubbing, or grading.
- Construct driveway modifications/widening.
- Install piping for fire hydrant.
- Install septic system and sewer systems to the septic field.
- Install proposed stormwater management practices, rain gardens, landscape infiltration, and drywells.
- Stabilize all disturbed areas.
- With the permission of the sediment control inspector, remove all sediment control devices.
- Make as-built submission to Montgomery County DPS Water Resources Section for approval of rain garden features.

ROW IMPROVEMENTS NOTE:

THERE ARE NO TREES WITHIN 50' OF THE PROPOSED DRIVEWAY IMPROVEMENTS.

GENERAL NOTES:

- The boundary information shown hereon and existing topography is provided by Point To Point Land Surveys.
- Any underground utilities information shown hereon is taken from available records. The contractor must determine the location and elevation of all existing utilities shown on plans and/or identified by field marking. Field marking to be conducted by MISS Utility (1-800-257-7777) prior to trenching. If a conflict is encountered the site manager is to be notified prior to proceeding with construction.
- All tie-in inverts and cross over elevations must be verified prior to start of work.
- Contractor is responsible for removing structures, concrete foundations, and portions of roadways necessary to prepare site for construction of improvements shown hereon. The contractor is to ensure any life utilities are inactive before removal.
- It shall be distinctly understood that failure to specifically mention any work which would normally be required to complete the project shall not relieve the contractor of his responsibility to perform such work.
- All work shall comply with applicable provisions of the Maryland Standards and Specifications for Soil Erosion and Sediment Control.



CALL "MISS UTILITY" AT
#811 OR LOG ON TO
WWW.MISSUTILITY.NET
48 Hours Before Start Of Construction

The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.

COVER SHEET

GREENSKEEPER LANDSCAPING

ZONE: AR
TAX MAP: HV53; PARCEL 150
DEED BOOK 25564, PAGE 456
1ST ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

OWNER / APPLICANT
DAVID MAMANA
3309 DAMASCUS ROAD
UNITS, MD 20833
PHONE: (301) 622-3831



RAZTEC ASSOCIATES, INC.
civil engineers & planners

341 West Patrick St. Tel (301) 775-4394
Frederick, Maryland 21701 email: raztecengr@comcast.net

PROFESSIONALS' REVIEW STATEMENT:
I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND LICENSE NUMBER: 22742 EXPIRES: JUNE 15, 2020

DRAWN BY: SL
CHECKED BY: MR

DATE
5/29/2020

SCALE
1" = 100'

SHEET NUMBER
1 of 6

OWNER'S/DEVELOPER'S CERTIFICATION

I/We hereby certify that all clearing, grading, construction, and/or development will be done pursuant to this plan and that any responsible personnel involved in the construction project will have a Certificate of Attendance at a Department of Natural Resources approved training program for the control of sediment and erosion before beginning the project.

Signature David Mamana, Owner
Printed Name and Title

Date 12/12/2019

RECORD DRAWING CERTIFICATION

A record set of approved Sediment Control/Stormwater Management plans must be maintained on-site at all times. In addition to stormwater management items, these plans must include the number and location of all trees proposed to be planted to comply with the Tree Canopy Law. Any approved modifications or deletions of stormwater practices or tree canopy plantings or information must be shown on this record set of plans and on the Tree Canopy Requirements table. Upon completion of the project, this record set of plans, including hereon this signed Record Drawing Certification, must be submitted to the MCDPS Inspector. In addition to this Record Drawing Certification, a formal Stormwater Management As-Built submission [X] is required [] is not required for this project.

If this project is subject to a Stormwater Management Right of Entry and Maintenance Agreement, that document is recorded in Montgomery County Land Records at:

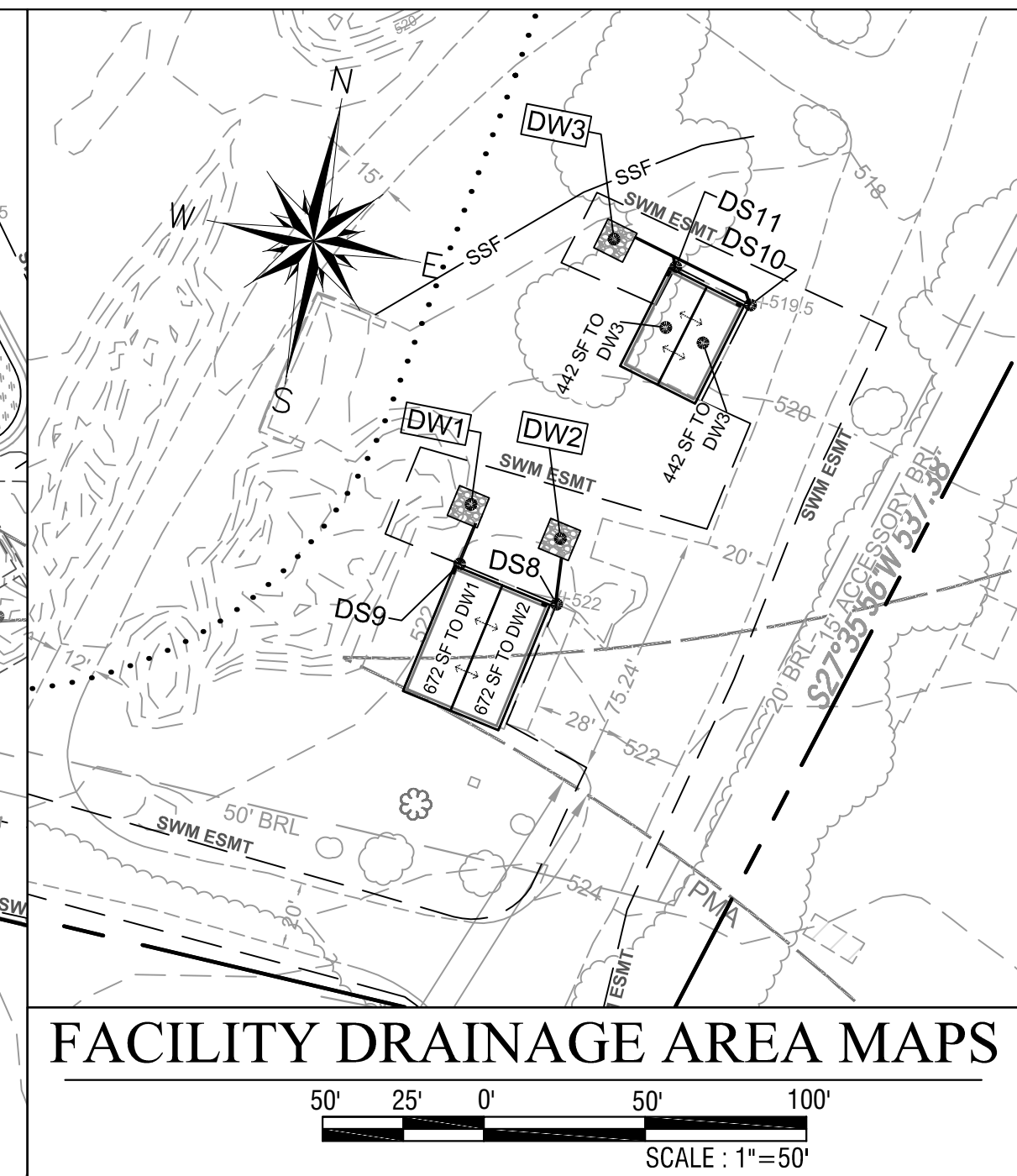
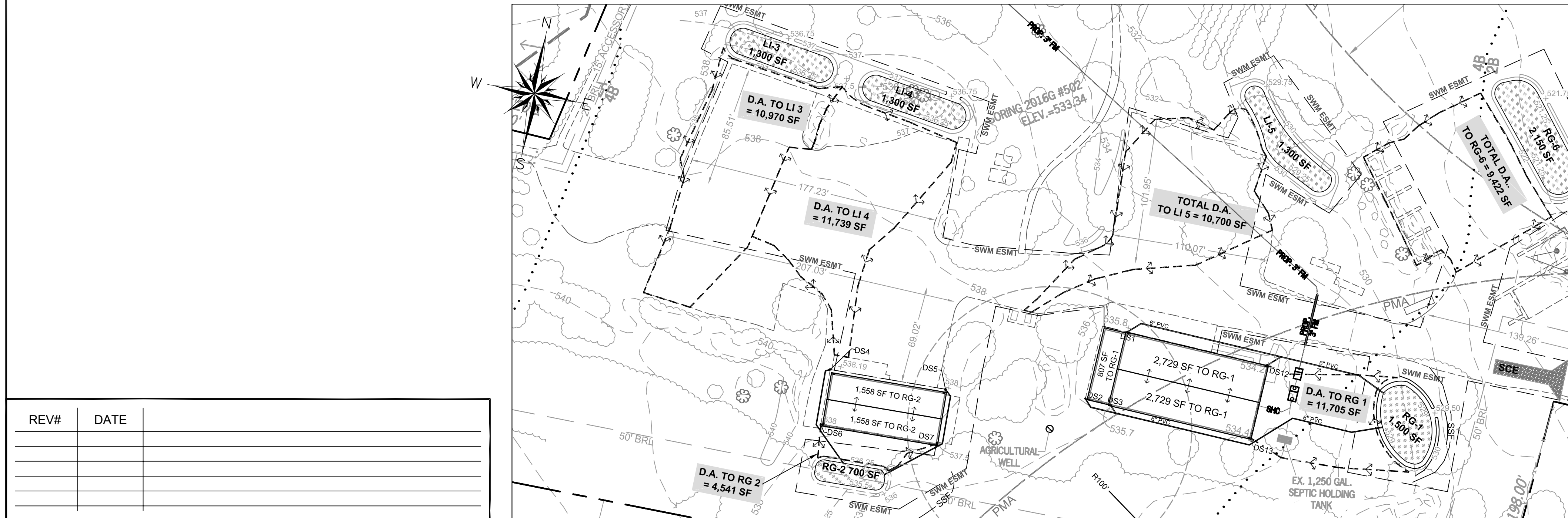
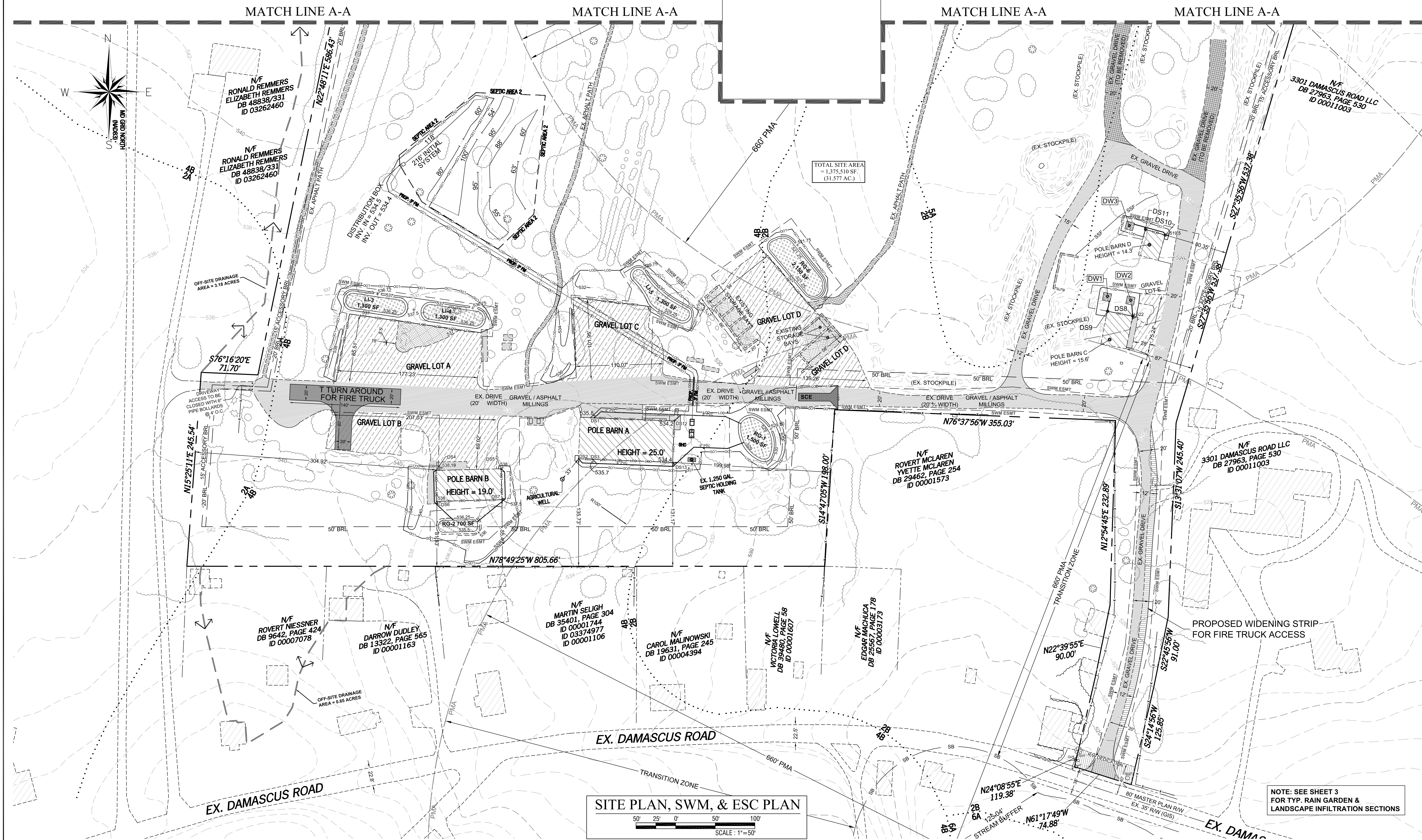
Liber N/A Folio N/A. This Record Drawing will serve as referenced in the recorded document.

"This record drawing accurately and completely represents the stormwater management practices and tree canopy plantings as they were constructed or planned. All stormwater management practices were constructed per the approved Sediment Control / Stormwater Management plans or subsequent approved revisions."

Owner/Developer Signature M. RAZAVI Date

FIELD CHECK OF RECORD DRAWING BY MCDPS INSPECTOR: INITIALS:

DATE:



DRYWELL SCHEDULE					
DRYWELL	ELEV. A	ELEV. B	ELEV. C	DRYWELL DIMENSIONS (LxWxH)	CONTRIBUTING IMPERVIOUS AREA (S.F.)
1	522	520.5	515.5	8'X8'X5'	672
2	522	520.5	515.5	8'X8'X5'	672
3	518	516.5	511.5	8'X8'X5'	884

PIPE SCHEDULE					
FROM	TO	LENGTH	INVERT OUT	INVERT IN	SLOPE (%)
DS 1 / DS 12	LI 1	195'	533.8	529	2.53
DS 2 / DS 3 / DS 13	LI 1	222'	533.8	529	2.16
DS 4 / DS 6	LI 2	75'	535.5	534.50	1.33
DS 5 / DS 7	LI 2	85'	535.5	534.5	1.18
DS 8	DW 2	15'	521	519.5	1.67
DS 9	DW 2	13'	521	519.5	11.5
DS 10 / DS 11	DW 3	45'	518.5	515.5	6.67

RAIN GARDEN SUMMARY TABLE				
ID #	DRAINAGE AREA	PONDING DEPTH	SURFACE AREA	VOLUME (CF)
RG 1	9,765	0.5'	1,500	1,333
RG 2	4,541	0.5'	700	630
RG 6	9,422	0.5'	2,250	1,939

LANDSCAPE INFILTRATION SUMMARY TABLE				
ID #	DRAINAGE AREA	PONDING DEPTH	SURFACE AREA	VOLUME (CF)
LI 3	10,970	0.5'	1,300	2,210
LI 4	10,751	0.5'	1,300	2,210
LI 5	10,700	0.5'	1,300	2,210

SITE PLAN, EROSION, SEDIMENT CONTROL & STORMWATER MANAGEMENT PLAN

GREENSKEEPER LANDSCAPING

ZONE: AR
TAX MAP: HV53; PARCEL 150
DEED BOOK 25564, PAGE 456
1ST ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

OWNER / APPLICANT
DAVID MAMANA
3309 DAMASCUS ROAD
UNITS: MD 20833
PHONE: (301)622-3831

SEAL

RAZTEC ASSOCIATES, INC.
civil engineers & planners
341 West Patrick St.
Frederick, Maryland 21701
Tel (301) 775-4394
email: raztecengr@comcast.net

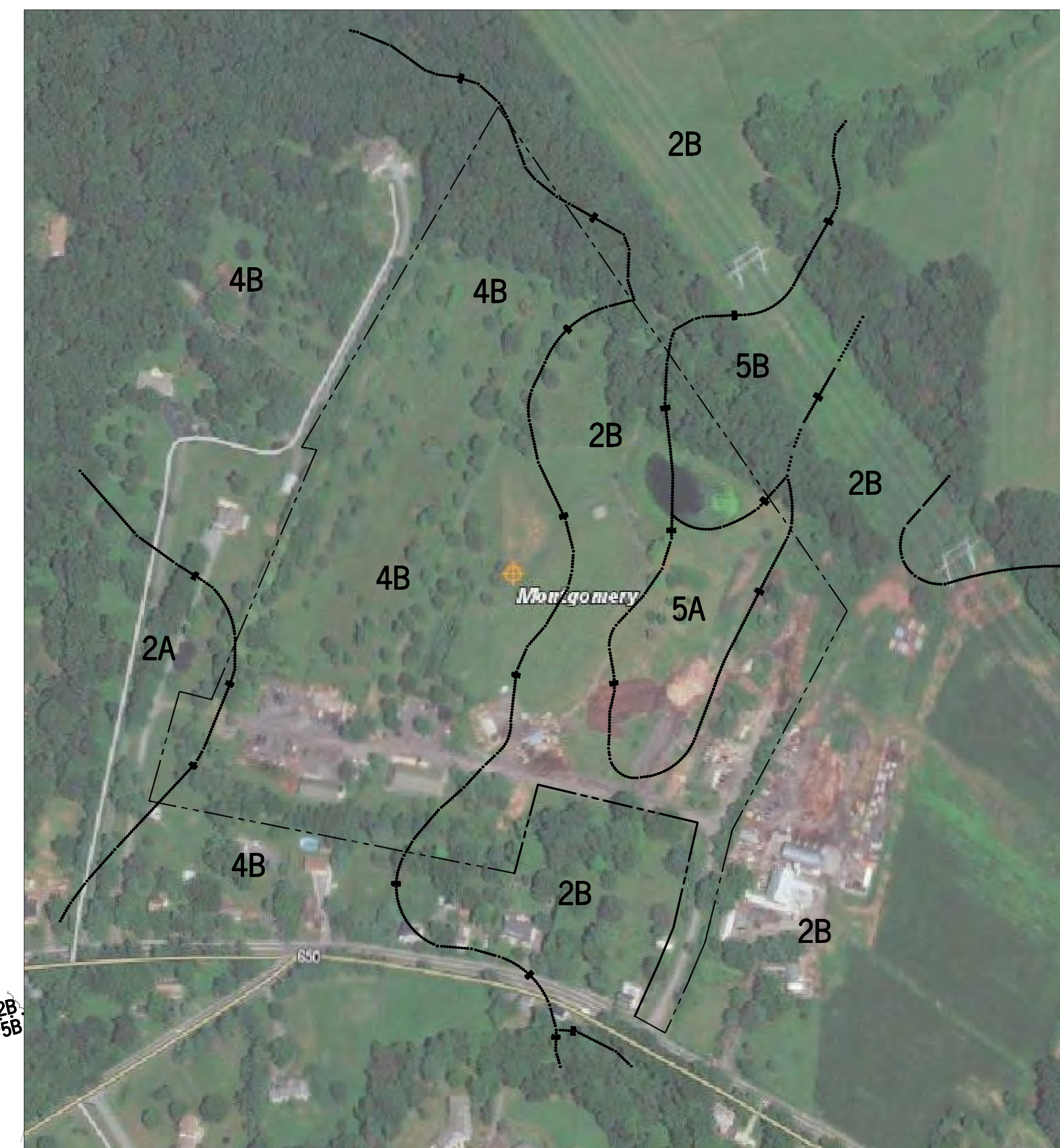
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THE STATE OF MARYLAND LICENSE NUMBER: 22742 EXPIRES: JUNE 15, 2020

DRAWN BY: SL
CHECKED BY: MR.

DATE
5/29/2020

SCALE
1" = 50'

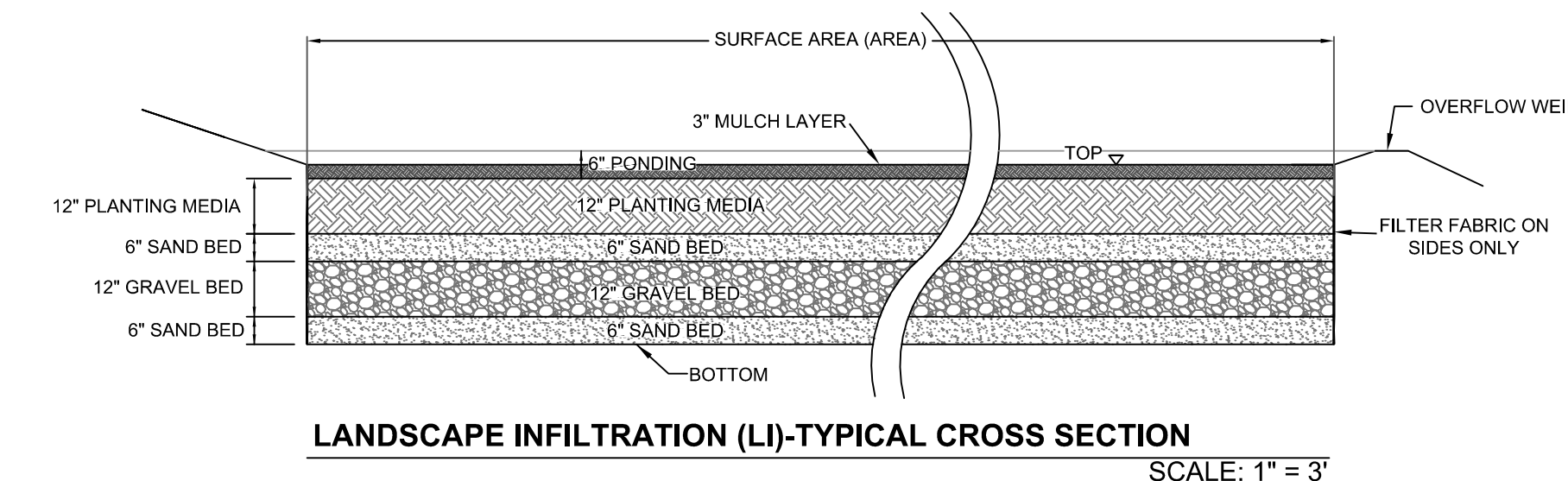
SHEET NUMBER
2 of 6



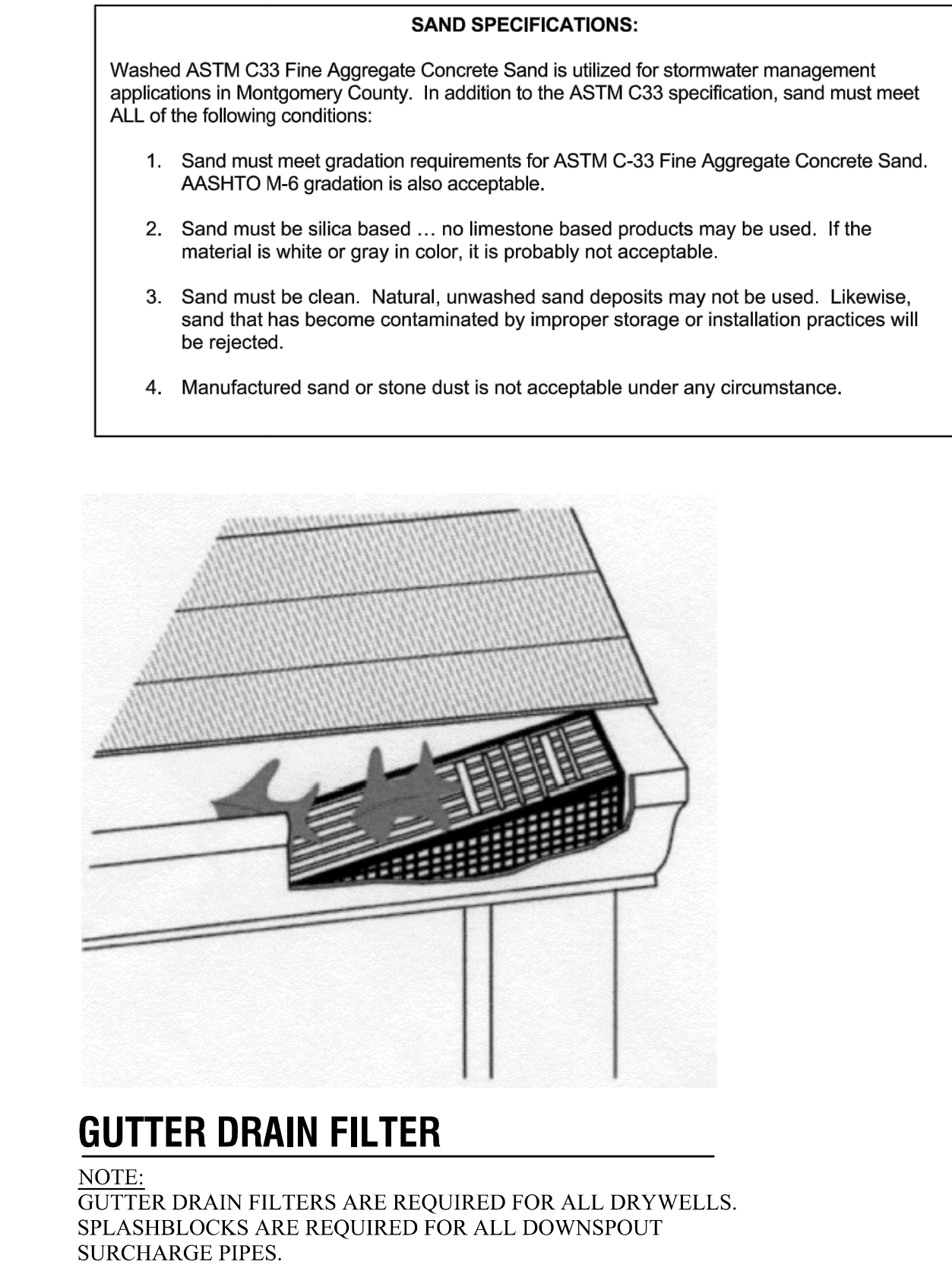
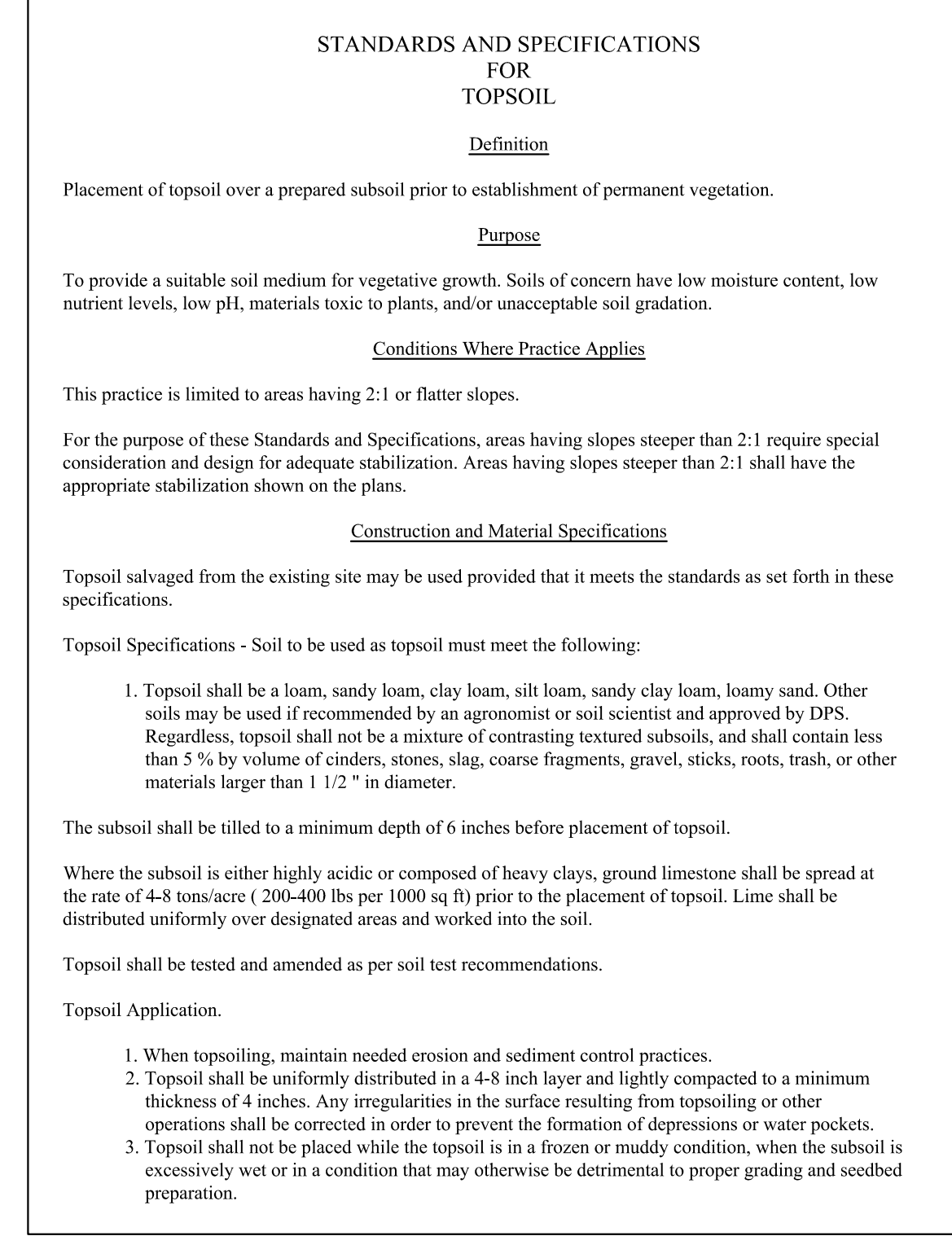
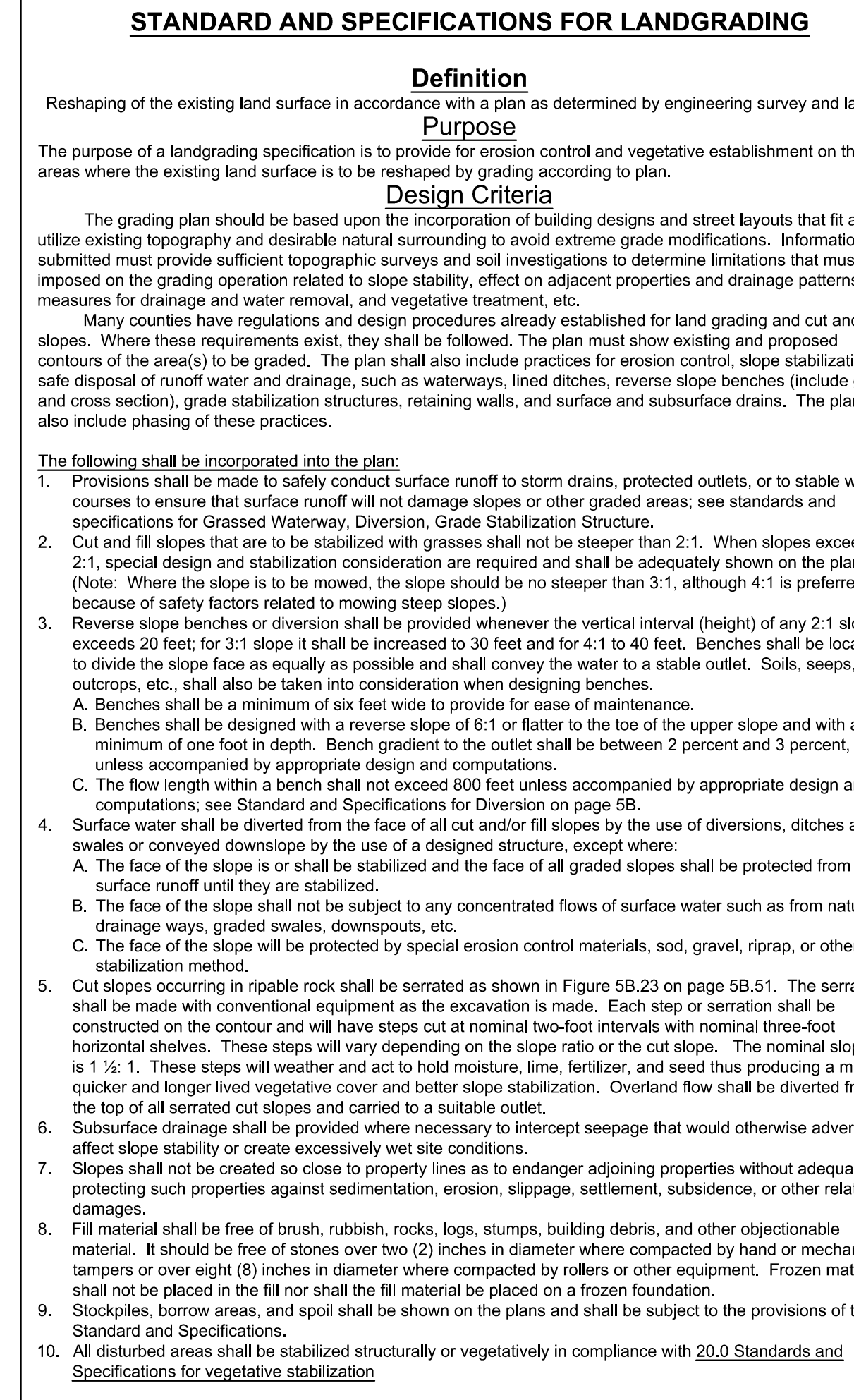
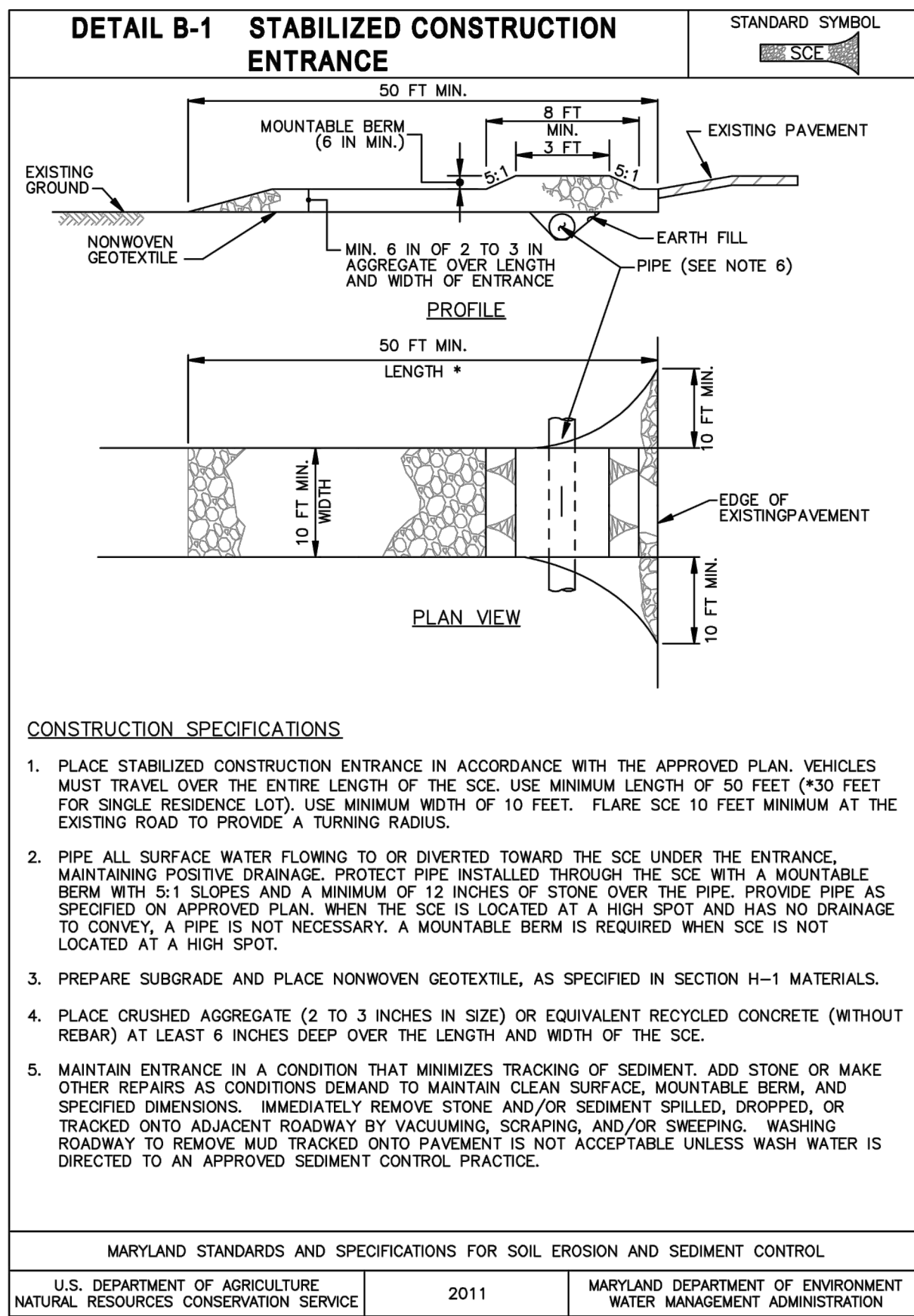
200' 100' 0' 200' 400' SCALE : 1"=200'

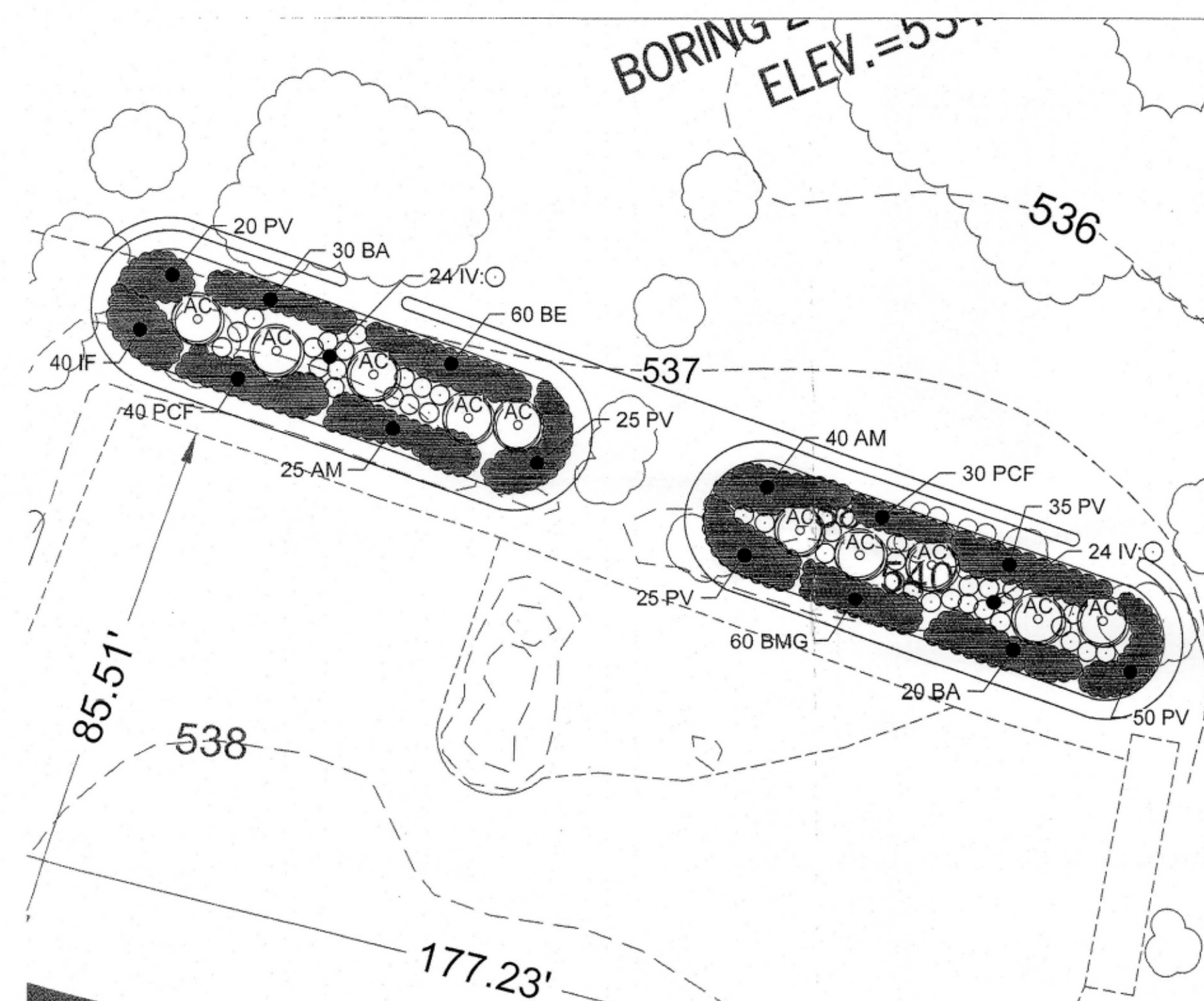
50' 25' 0' 50' 10'

SCALE: 1"=50'



SHEET NUMBER
3 of 6

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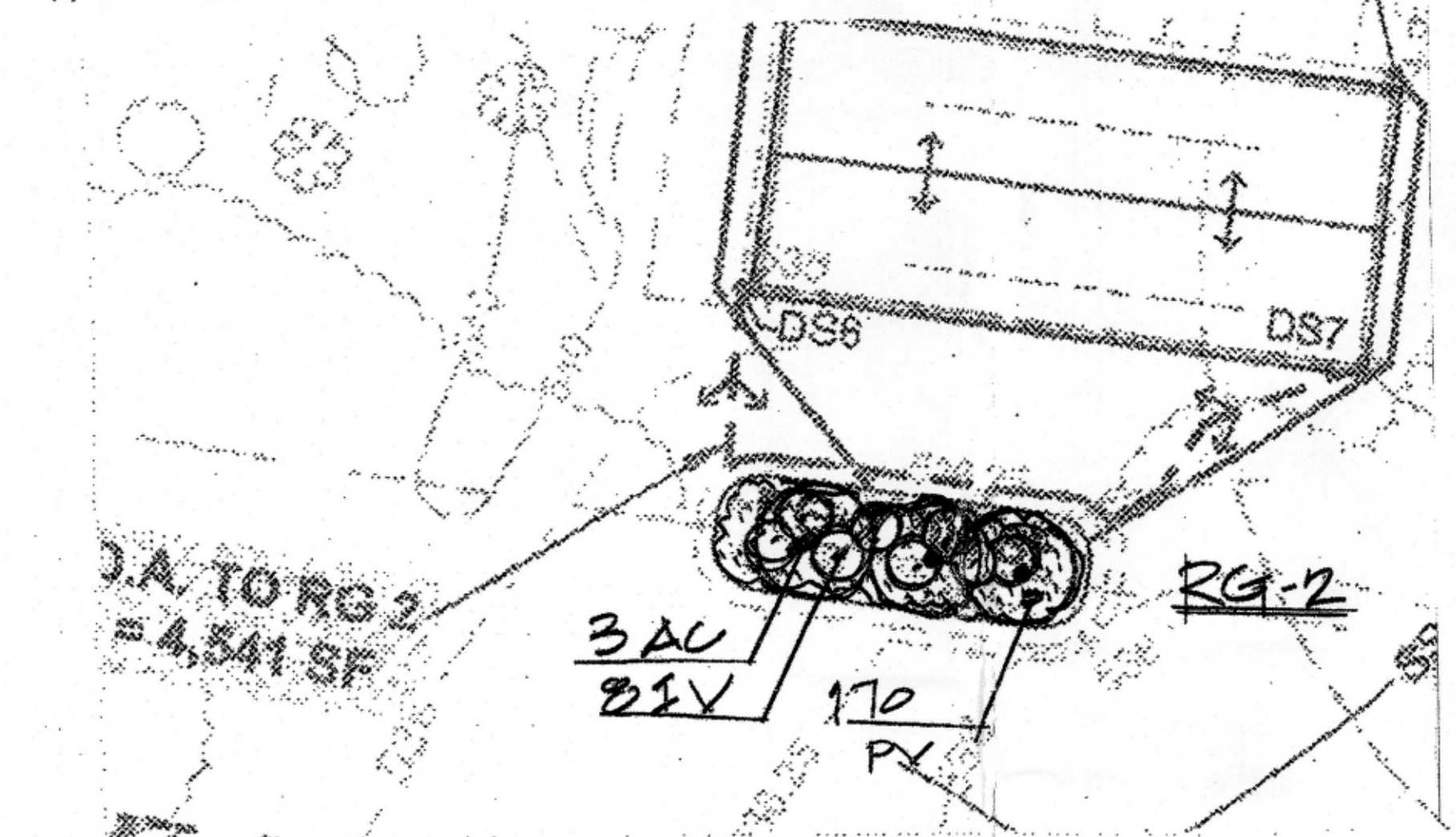


RAIN GARDEN-1

CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
BN	3	Betula Nigra	River Birch	7-8'
SHRUBS				
IV	15	Ilex Verticillata	Winter Berry	3 gal
PERENNIALS				
BA	40	Baptisia Australis	False Blue Indigo	4" pot
PCF	40	Echinacea Purpurea	Purple Cone Flower	1 gal
BE	40	Rubus Hirta	Black Eyed Susan	4" pot
GRASSES				
PMG	70	Muhlenbergia Capillaris	Pink Muhly Grass	1 gal
PV	30	Panicum Virgatum	Switch Grass	1 gal

RAIN GARDEN-2

CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
AC	3	Amelanchier Canadensis	Service Berry	5-6'
SHRUBS				
IV	8	Ilex Verticillata	Winter Berry	3 gal
GRASSES				
PV	170	Panicum Virgatum	Switch Grass	1 gal



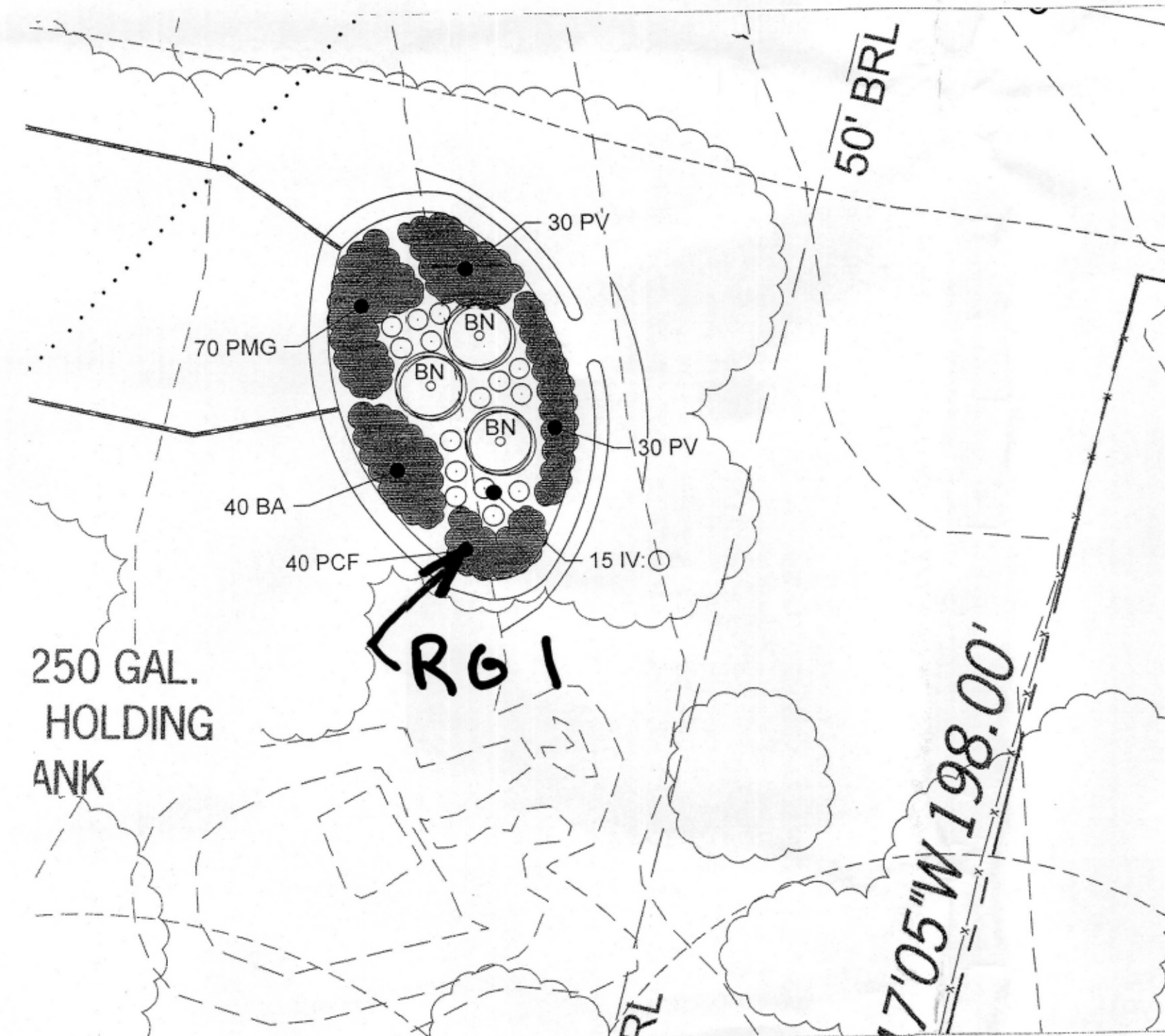
LANDSCAPE INFILTRATION 3

RAIN GARDEN 3

CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
AC	5	Amelanchier Canadensis	Service Berry	5-6'
SHRUBS				
IV	16	Ilex Verticillata	Winter Berry	3 gal
PERENNIALS				
AM	25	Amsonia Hubertii	Blue Star Flower	4" pot
BA	30	Baptisia Australis	False Blue Indigo	4" pot
IF	40	Iris Fulva	Copper Iris	1 qt
PCF	40	Echinacea Purpurea	Purple Cone Flower	1 gal
BE	60	Rubus Hirta	Black Eyed Susan	4" pot
GRASSES				
PMG	80	Muhlenbergia Capillaris	Pink Muhly Grass	1 gal
PV	45	Panicum Virgatum	Switch Grass	1 gal

LANDSCAPE INFILTRATION 4

CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
AC	5	Amelanchier Canadensis	Service Berry	5-6'
SHRUBS				
IV	24	Ilex Verticillata	Winter Berry	3 gal
PERENNIALS				
AM	40	Amsonia Hubertii	Blue Star Flower	4" pot
BA	20	Baptisia Australis	False Blue Indigo	4" pot
PCF	30	Echinacea Purpurea	Purple Cone Flower	1 gal
BE	50	Rubus Hirta	Black Eyed Susan	4" pot
GRASSES				
PMG	60	Muhlenbergia Capillaris	Pink Muhly Grass	1 gal
PV	60	Panicum Virgatum	Switch Grass	1 gal

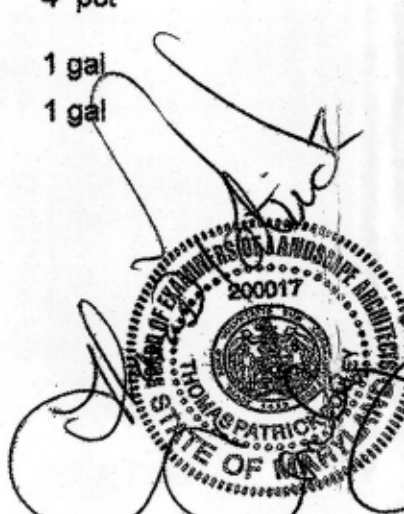


LANDSCAPE INFILTRATION 5

CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
BN	6	Betula Nigra	River Birch	7-8'
SHRUBS				
IV	20	Ilex Verticillata	Winter Berry	3 gal
PERENNIALS				
BA	40	Baptisia Australis	False Blue Indigo	4" pot
PCF	40	Echinacea Purpurea	Purple Cone Flower	1 gal
BE	40	Rubus Hirta	Black Eyed Susan	4" pot
GRASSES				
PMG	60	Muhlenbergia Capillaris	Pink Muhly Grass	1 gal
PV	70	Panicum Virgatum	Switch Grass	1 gal

RAIN GARDEN-6

CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
AC	5	Amelanchier Canadensis	Service Berry	5-6'
SHRUBS				
IV	27	Ilex Verticillata	Winter Berry	3 gal
PERENNIALS				
BA	40	Baptisia Australis	False Blue Indigo	4" pot
PCF	30	Echinacea Purpurea	Purple Cone Flower	1 gal
BE	60	Rubus Hirta	Black Eyed Susan	4" pot
GRASSES				
PMG	60	Muhlenbergia Capillaris	Pink Muhly Grass	1 gal
PV	80	Panicum Virgatum	Switch Grass	1 gal



GREENSKEEPER LANDSCAPING

OWNER APPLICANT: David Mamana
3309 Damascus Road Unity, Maryland 20833
SCALE: 1"=20'
APR 16, 2018

RAIN GARDENS

Paul Levine, ASLA - Landscape Designs

Cell: 443-250-2480 www.creativespace.com paul@creativespace.com

SWM LANDSCAPE PLAN

GREENSKEEPER LANDSCAPING

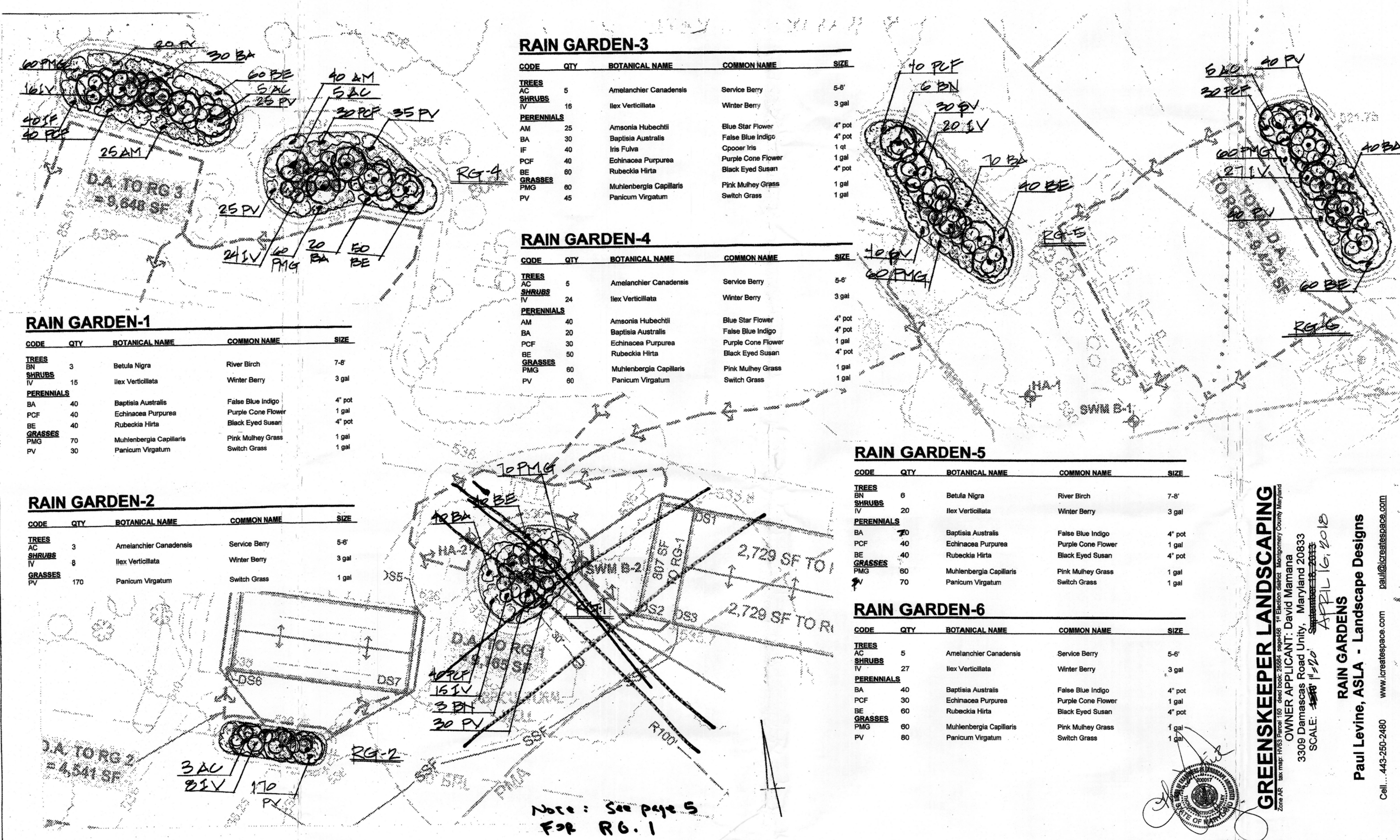
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DEED BOOK 25564, PAGE 456
1ST ELECTION DISTRICT
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RAZTEC ASSOCIATES, INC.

civil engineers & planners
341 West Patrick St.
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Tel (301) 775-4394
email: raztecengr@comcast.net

DRAWN BY: SL
CHECKED BY: MR
DATE
5/29/2020
SCALE
N/A
SHEET NUMBER
5 of 6

REV#	DATE



RAIN GARDEN-1

CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
BN	3	Betula Nigra	River Birch	7-8'
SHRUBS				
IV	15	Ilex Verticillata	Winter Berry	3 gal
PERENNIALS				
BA	40	Baptisia Australis	False Blue Indigo	4" pot
PCF	40	Echinacea Purpurea	Purple Cone Flower	1 gal
BE	40	Rubckia Hirta	Black Eyed Susan	4" pot
GRASSES				
PMG	70	Muhlenbergia Capillaris	Pink Muhley Grass	1 gal
PV	30	Panicum Virgatum	Switch Grass	1 gal

RAIN GARDEN-2

CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
AC	3	Amelanchier Canadensis	Service Berry	5-6'
SHRUBS				
IV	6	Ilex Verticillata	Winter Berry	3 gal
GRASSES				
PV	170	Panicum Virgatum	Switch Grass	1 gal

RAIN GARDEN-3

CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
AC	5	Amelanchier Canadensis	Service Berry	5-6'
SHRUBS				
IV	16	Ilex Verticillata	Winter Berry	3 gal
PERENNIALS				
AM	25	Amsonia Hubertii	Blue Star Flower	4" pot
BA	30	Baptisia Australis	False Blue Indigo	4" pot
IF	40	Iris Fulva	Cpoover Iris	1 qt
PCF	40	Echinacea Purpurea	Purple Cone Flower	1 gal
BE	60	Rubckia Hirta	Black Eyed Susan	4" pot
GRASSES				
PMG	60	Muhlenbergia Capillaris	Pink Muhley Grass	1 gal
PV	45	Panicum Virgatum	Switch Grass	1 gal

RAIN GARDEN-4

CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
AC	5	Amelanchier Canadensis	Service Berry	5-6'
SHRUBS				
IV	24	Ilex Verticillata	Winter Berry	3 gal
PERENNIALS				
AM	40	Amsonia Hubertii	Blue Star Flower	4" pot
BA	20	Baptisia Australis	False Blue Indigo	4" pot
PCF	30	Echinacea Purpurea	Purple Cone Flower	1 gal
BE	50	Rubckia Hirta	Black Eyed Susan	4" pot
GRASSES				
PMG	60	Muhlenbergia Capillaris	Pink Muhley Grass	1 gal
PV	60	Panicum Virgatum	Switch Grass	1 gal

RAIN GARDEN-5

CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
BN	6	Betula Nigra	River Birch	7-8'
SHRUBS				
IV	20	Ilex Verticillata	Winter Berry	3 gal
PERENNIALS				
BA	40	Baptisia Australis	False Blue Indigo	4" pot
PCF	40	Echinacea Purpurea	Purple Cone Flower	1 gal
BE	40	Rubckia Hirta	Black Eyed Susan	4" pot
GRASSES				
PMG	60	Muhlenbergia Capillaris	Pink Muhley Grass	1 gal
PV	70	Panicum Virgatum	Switch Grass	1 gal

RAIN GARDEN-6

CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
AC	5	Amelanchier Canadensis	Service Berry	5-6'
SHRUBS				
IV	27	Ilex Verticillata	Winter Berry	3 gal
PERENNIALS				
BA	40	Baptisia Australis	False Blue Indigo	4" pot
PCF	30	Echinacea Purpurea	Purple Cone Flower	1 gal
BE	60	Rubckia Hirta	Black Eyed Susan	4" pot
GRASSES				
PMG	60	Muhlenbergia Capillaris	Pink Muhley Grass	1 gal
PV	80	Panicum Virgatum	Switch Grass	1 gal

GREENSKEEPER LANDSCAPING

OWNER APPLICANT: David Mamana
3309 Damascas Road Unit, Maryland 20833
SCALE: 1"=20'
APRIL 16, 2018
RAIN GARDENS
Paul Levine, ASLA - Landscape Designs
www.landscape.com paul@landscape.com
Cell: 443-250-2480



Note: See page 5
for RG-1

REV#	DATE	

SWM LANDSCAPE PLAN			
GREENSKEEPER LANDSCAPING			
ZONE: AR TAX MAP: HV53; PARCEL 150 DEED BOOK 25564, PAGE 456 1ST ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND		OWNER / APPLICANT DAVID MAMANA 3309 DAMASCUS ROAD UNITY, MD 20833 PHONE: (301)622-3831	
<div>RAZTEC ASSOCIATES, INC.</div> <div>civil engineers & planners</div> <div>341 West Patrick St. Frederick, Maryland 21701</div> <div>301-775-4394 email: raztecengr@comcast.net</div>			
DRAWN BY: SL CHECKED BY: MR	DATE 5/29/2020	SCALE N/A	SHEET NUMBER 6 of 6



BOHLERTM
ENGINEERING

16701 Melford Boulevard, Suite 310
Bowie, MD 20715
PHONE 301.809.4500

Montgomery County
Fire Department Access and Water Supply
Department of Permitting Services
255 Rockville Pike, 2nd Floor
Rockville, Maryland 20850

Attn: Dr. Marie LaBaw, P.E.

January 25, 2018
FIRE CODE ENFORCEMENT

Fire Department Access Review

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation

BY: 9/16 FM: 43 DATE: 1/26/2018

Re: Statement of Performance Based Design
Greenskeeper Landscaping and Lawn
Management, Inc.
Fire Department Access Plan
3309 Damascus Road
Brookville, Montgomery County, MD
BEPC # MB152064

Dear Dr. LaBaw:

On behalf of Greenskeeper Landscaping and Lawn Management, Inc., Bohler Engineering presents this Statement of Performance Based Design for your review and approval. Greenskeeper Landscaping and Lawn Management, Inc. is pursuing development approvals for the 3309 Damascus Road Brookville, Montgomery County, MD project. The project site is located at the intersection of Damascus Road and Georgia Avenue. The purpose of this Statement of Performance Based Design is to better explain the design provided on the Fire Department Access Plan enclosed.

Per Montgomery County Code Section 22-32 "Required Access for Fire Apparatus," all premises are required to have a suitable gate that is accessible to fire apparatus, and the drive is to be an all-weather accessway. Please refer to the attached letter from David Mamana, the President of Greenskeeper, which satisfies both requirements of Section 22-32.

We hope this letter answers all questions regarding the performance based design for the interim conditions on the Greenskeeper Landscaping and Lawn Management, Inc. project. In addition, please find enclosed the following material for your review:

- Two (2) copies of the Fire Department Access Plan, prepared by Bohler Engineering, dated January 25, 2018.
- Two (2) copies of the letter from David Mamana, President of Greenskeeper, dated April 20, 2017.

Should you have any questions or require additional information, please do not hesitate to contact this office at (301) 809-4500. Thank you.

By:  

Name: Bradford L. Fox, P.E.

Title: Professional Engineer

Professional Certification

I, Bradford L. Fox, hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 37966, Expiration Date: 11/30/2019



REENSKEEPER

Landscaping and Lawn Management, Inc.

April 10, 2017

S. Marie LaBaw, Phd, PE
Fire Department Access and Water Supply
Department of Permitting Services
255 Rockville Pike, 2nd Floor
Rockville, MD 20850
(240)-773-8917 Office
Marie.LaBaw@montgomerycountymd.gov

Re: 3309 Damascus Road, Brookeville, MD 20833

Dear Dr. LaBaw:

In regards to the concern of the Fire Department Access and Water Supply, you had requested information on vehicular access to our address during inclement weather. We are a full service landscaping company and as such provide snow removal services to our clients. To accomplish this, we properly maintain our facility throughout snow events. Our trucks and crews come in and out of our location during the storm to replenish their supply of fuel, salt, ice melt, etc. It is imperative that we keep our paved driveway and all asphalt roadways, parking lots, and sidewalks free of snow and ice. We have an onsite crew dedicated specifically to that task.

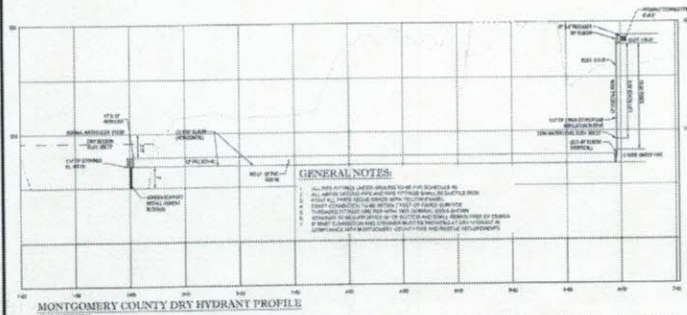
During inclement weather the fire department would not have any problem safely gaining access to our property.

This letter is also a receipt to let our local fire department know that we secure our location with a combination lock. The code is 8864 or if they deem necessary to cut and remove the lock this is permission in advance in case of a fire or in need to have access to the pond.

If you have any questions, please contact me.

Sincerely,

David Mamana,
President



Installation Procedures for Dry Fire Hydrant

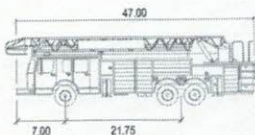
- (1) Check for any underground or overhead utilities before digging. Contact the appropriate authorities, e.g., water, power, telephone, cable, gas, etc.
- (2) Using a bucket or trowel, dig in the south-southwest at the point where the water source will be placed in the water.
- (3) Excavate a vertical line from the top of the water source to the point where the hydrant will be placed. The hydrant will be placed in the water.
- (4) Excavate the bottom of the hole and install the hydrant. The hydrant will be placed in the water.
- (5) When the hydrant is in place, install the hydrant. The hydrant will be placed in the water.

DRY HYDRANT INSTALLATION NOTES

1. DRY HYDRANT SHALL BE INSTALLED IN A LOCATION WITH A MINIMUM 10% GRADE TO THE WATER SOURCE.
2. DRY HYDRANT SHALL BE INSTALLED IN A LOCATION WITH A MINIMUM 10% GRADE TO THE WATER SOURCE.
3. DRY HYDRANT SHALL BE INSTALLED IN A LOCATION WITH A MINIMUM 10% GRADE TO THE WATER SOURCE.
4. DRY HYDRANT SHALL BE INSTALLED IN A LOCATION WITH A MINIMUM 10% GRADE TO THE WATER SOURCE.

DRY HYDRANT MAINTENANCE NOTES

1. DRY HYDRANT SHALL BE MAINTAINED IN A LOCATION WITH A MINIMUM 10% GRADE TO THE WATER SOURCE.
2. DRY HYDRANT SHALL BE MAINTAINED IN A LOCATION WITH A MINIMUM 10% GRADE TO THE WATER SOURCE.
3. DRY HYDRANT SHALL BE MAINTAINED IN A LOCATION WITH A MINIMUM 10% GRADE TO THE WATER SOURCE.
4. DRY HYDRANT SHALL BE MAINTAINED IN A LOCATION WITH A MINIMUM 10% GRADE TO THE WATER SOURCE.

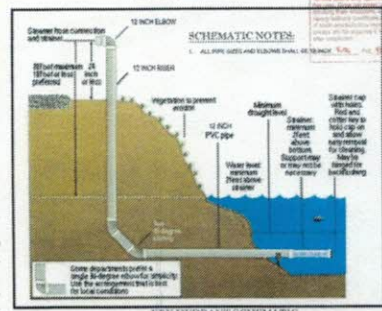


Aerial Tower 729	feet
Track Width	8.25
Lock to Lock Time	6.0
Steering Angle	33.2

NOTE: TRUCK DIMENSIONS OBTAINED FROM THE MONTGOMERY COUNTY FIRE MARSHAL

NOTES

1. ALL DIMENSIONS SHOWN ARE APPROXIMATE.



DRY HYDRANT SCHEMATIC

REFERENCE

1. MONTGOMERY COUNTY FIRE MARSHAL, MONTGOMERY, MD
2. 2015, DATED FEBRUARY 2015, BY MONTGOMERY COUNTY, MD

BOHLER ENGINEERING
1000 WILLOW BLVD. SUITE 100
BOWLING GREEN, OH 43402
TEL: 419-341-1000
FAX: 419-341-1001
www.bohlereng.com

REVISIONS

NO.	DATE	REVISION	BY
1	01/15/15	ISSUED FOR CONSTRUCTION	JAC
2	02/15/15	REVISED PER MONTGOMERY COUNTY	JAC

NOT APPROVED FOR CONSTRUCTION

DESIGNED BY: JAC
CHECKED BY: JAC
DATE: 01/15/15

FIRE DEPARTMENT ACCESS PLAN

GREENSKEEPER LANDSCAPING & LAWN MGT., INC.
1000 WILLOW BLVD. SUITE 100
BOWLING GREEN, OH 43402
TEL: 419-341-1000
FAX: 419-341-1001
www.bohlereng.com

B.L. FOX
1000 WILLOW BLVD. SUITE 100
BOWLING GREEN, OH 43402
TEL: 419-341-1000
FAX: 419-341-1001
www.bohlereng.com

FIRE DEPARTMENT ACCESS PLAN

1



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedocem
Director

MEMORANDUM

November 19, 2020

TO: Ryan Sigworth
Development Review
Maryland National Capital Park and Planning Commission

FROM: Jason L. Flemming, LEHS
Well and Septic Section
Department of Permitting Services

SUBJECT: Status of Preliminary Plan: Greenskeeper Landscaping
120190110

This is to notify you that the Well & Septic Section of MCDPS approved the plan.

Approved with the following reservations:

1. The record plat must be at the same scale as the preliminary plan or submit an enlargement of the plat to match the preliminary plan.
2. The record plat must show the wells and septic reserve areas as they are shown on the plan.

If you have any questions, please contact Jason Flemming at (240) 777-6334.

Angela D. Niessner
3601 Damascus Road
Brookeville, MD 20833

March 11, 2020

Ryan Sigworth
Lead Reviewer/Plan Number 120190110 (Greenskeeper Landscaping)
Montgomery County Planning Department
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Mr. Sigworth,

I am writing to you regarding the proposed plan for the 31.57-acre lot located at 3309 Damascus Road, Brookeville, Maryland.

The property to which the changes are proposed borders the rear of property/dwelling located at 3601 Damascus Road, which was owned by my late father, Robert E. Niessner. As heir, executor and trustee of his estate, I received notice of the proposed plan from Raztec Associates, Incorporated in the form of a notice of the application made to the Montgomery County Planning Department.

I respectfully request that the changes to the property include the placement/addition of a "screen" of trees to preserve the value and appeal of my property. The trees must be large enough to protect my property from the undesirable view of the landscaping facility and its equipment, the unwanted noise, dust, and from bright security lights which will likely be installed at the landscaping facility.

**There currently exists a row of large, mature evergreen trees near the property line. If left in place, these would go a long way toward providing the desired "screen" of protection I am requesting for my property. THESE TREES DO NOT EXTEND THE FULL LENGTH OF THE PROPERTY LINE AND THE ADDITION OF MORE TREES WILL BE NECESSARY TO CREATE A SATISFACTORY BARRIER.*

If you feel that you are not the person to whom this request should have been made, please notify me immediately by phone at 240-506-0621 or email at aniessner100@gmail.com, so that I may redirect my communication appropriately.

Thank you for your attention to this matter.

Sincerely,
Angela D. Niessner

