




MCPB
Item No.
Date: 10-14-2021

South Lake Elementary School, Preliminary/Final Forest Conservation Plan, MR2022005

-  Steve Findley, Planner Coordinator, Mid-County Planning, steve.findley@montgomeryplanning.org, 301-495-4727
-  Jessica McVary, Supervisor Mid-County Planning, jessica.mcvary@montgomeryplanning.org, 301-495-4539
-  Carrie Sanders, Chief, Mid-County Planning, carrie.sanders@montgomeryplanning.org, 301-495-4653

Completed: 10/1/21

Description

Request to demolish all but a small portion and rebuild a new approximately 106,000 square-foot elementary school at 18201 Contour Road, Gaithersburg.

Staff Recommendation: Approval with Conditions
Preliminary/Final Forest Conservation Plan
MR2022005

Location: Contour Road 100 feet south of Horizon Run Road, Gaithersburg

Acreage: 10.20 acres

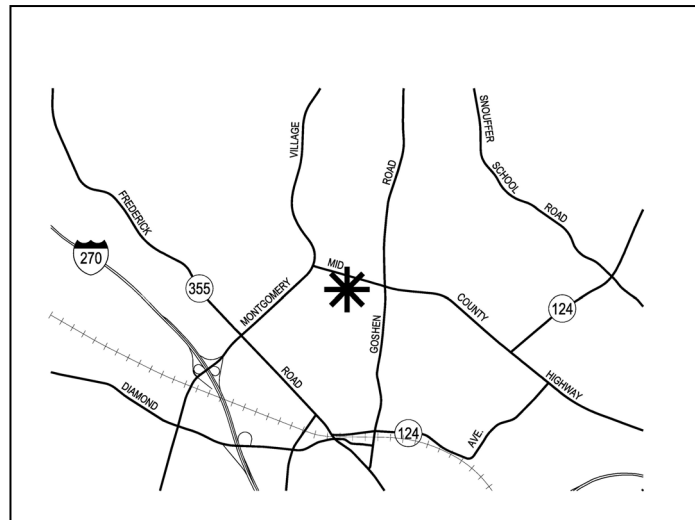
Zone: R-200

Master Plan: 2016 *Montgomery Village Master Plan*

Applicant: Montgomery County Public Schools

Accepted Date: August 12, 2021

Review Basis: Chapter 22A



Summary

- There are two items for Planning Board review for this project: The Preliminary/Final Forest Conservation Plan and the Mandatory Referral.
- This memorandum covers Planning staff review and recommendations for the Forest Conservation Plan. The Planning Board's action on the Forest Conservation Plan is regulatory and binding. The review and recommendations for the Mandatory Referral are covered in a separate memorandum.
- Staff recommends **approval with conditions** of the Preliminary/Final Forest Conservation Plan.
- Meets requirements of Chapter 22A, Forest Conservation Law.
- Staff has not received community correspondence on this Application.

STAFF RECOMMENDATION:

Approval of the Preliminary/Final Forest Conservation Plan with the following conditions:

1. The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
2. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
3. Prior to Certification of the Final Forest Conservation Plan, the Applicant must amend the Final Forest Conservation Plan to reflect any changes to the Mandatory Referral plan, including pedestrian and frontage improvements, changes to the Limits of Disturbance, and any changes to the worksheet and mitigation total that may result.
4. Prior to Certification of the Final Forest Conservation Plan, the Applicant must adjust the storm drain connection at the northeast corner of the property to avoid disturbance of the specimen trees along the northern property boundary.
5. Prior to the issuance of a building permit for this development Application, the Applicant must record a Category I Conservation Easement over all areas of forest retention, forest planting and environmental buffers as specified on the approved Final Forest Conservation Plan. The Category I Conservation Easement must be in a form approved by the M-NCPPC Office of the General Counsel and must be recorded in the Montgomery County Land Records by deed.
6. Prior to issuance of a building permit for this development Application, the Applicant must record an M-NCPPC approved Certificate of Compliance in an M-NCPPC approved off-site forest bank within the Great Seneca Creek watershed to satisfy the reforestation requirement for a total of 1.01 acres of mitigation credit. The off-site requirement may be met by purchasing credits from a mitigation bank elsewhere in the County, subject to Staff approval, if forest mitigation bank credits are not available for purchase within the Great Seneca Creek watershed or by making a fee-in-lieu payment if mitigation credits are not available at any bank.
7. Prior to the start of any demolition, clearing, grading or construction for this development Application, the Applicant must install permanent conservation easement signage along the perimeter of the conservation easements as shown on the FCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
8. Prior to the start of any demolition, clearing, grading or construction for this development Application, the Applicant must install the permanent conservation easement fencing along the perimeter of the conservation easements as shown on the FCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
9. The Limits of Disturbance ("LOD") shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.

SITE DESCRIPTION

The South Lake Elementary School site consists of 10.20 acres, Parcel 764, located at 18201 Contour Road, Gaithersburg ("Site") and zoned R-200. The site is bounded to the west, north, and southeast corner by residential development, to the southwest by Contour Road, and to the east by a conservation easement. The Montgomery Village Plaza shopping center is located just to the south. A forested stream valley on a tributary of Whetstone Run (a tributary of Great Seneca Creek) exists on the east side of the Site. Additionally, individual trees grow in places around the boundary of the property. Open space and play areas are located east of the school building, and topographically are lower than the main building. All vehicular access, including the bus and parent drop-off areas, are from Contour Road. The Site is within the boundaries of the 2016 *Montgomery Village Master Plan*.



Figure 1: Aerial Photograph of the Vicinity



Figure 2: Aerial Photograph of the Site

PROJECT DESCRIPTION

Montgomery County Public Schools (MCPS) proposes to construct a new South Lake Elementary School, which includes retaining a portion of the existing school built in 2005. The new school will accommodate up to 796 students, but is forecast to be beyond its enrollment capacity upon completion. To accommodate additional capacity, a future portable is shown on the submitted plan.

The new building is approximately 106,842 square feet in size and it is organized around a central courtyard. The new addition has two-levels and it will join a retained one-level structure. A pre-Kindergarten play area is west of the courtyard and a public plaza is along the western and southern portions of the addition.

FOREST CONSERVATION PLAN AMENDMENT ANALYSIS AND FINDINGS

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

Review for Conformance to the Forest Conservation Law

The Application is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code) under Section 22A-4(d) as a project by “a government entity subject to a mandatory referral on a tract of land 40,000 square feet or larger...” The Site included in the Application is 10.20 acres in size.

A combined Stormwater Management Concept and Site Development Stormwater Management Plan was approved by the Montgomery County Department of Permitting Services for this project on July 20, 2021.

Environmental Guidelines

Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) 420212430 for this Property was approved in June 2021. The site includes a stream and associated stream buffer. A small area of wetlands and associated wetland buffer occur within the stream buffer area. The Site includes no 100-year floodplain, hydraulically adjacent steep slopes, or known occurrences of Rare, Threatened, or Endangered species. The Property drains to the Great Seneca Creek watershed, which is a State Use Class I-P stream. This Site does not lie within a Special Protection Area.

There is a very small (approximately 740 square feet) temporary encroachment into the stream valley buffer proposed to construct a connection to the existing storm drain system. The *Environmental Guidelines* permit infrastructure uses in stream buffers that are found to be necessary, unavoidable, and minimized (*Environmental Guidelines* Section V.A.1.b).

Forest Conservation

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law ("FCL"). As required by Chapter 22A, a Preliminary/Final Forest Conservation Plan was submitted with this Mandatory Referral Application (Attachment 1).

There are 0.67 acres of forest on the Site outside of utility easements. The Final Forest Conservation Plan proposes clearing 0.08 acres of forest and retaining 0.59 acres. This results in a mitigation requirement for 0.16 acres of reforestation for clearing below the conservation threshold and an afforestation requirement of 0.85 acres, for a total mitigation requirement of 1.01 acres. The Applicant proposes to fulfill the mitigation requirement either through off-site forest banking or through the payment of a fee-in-lieu of planting.

All of the retained forest and the environmental buffer areas on the Property will be protected by a Category I Forest Conservation Easement (Figure 3).

The Applicant's initial submission included a variance request to disturb the Critical Root Zone (CRZ) of two specimen trees. Since the initial plan submission, the Applicant has worked with Planning staff to relocate a storm drain connection out of the CRZ of the two trees. This eliminated the need for a variance approval with this Forest Conservation Plan. A condition of approval is included requiring that the relocated storm drain connection be shown on the Certified Final Forest Conservation Plan.

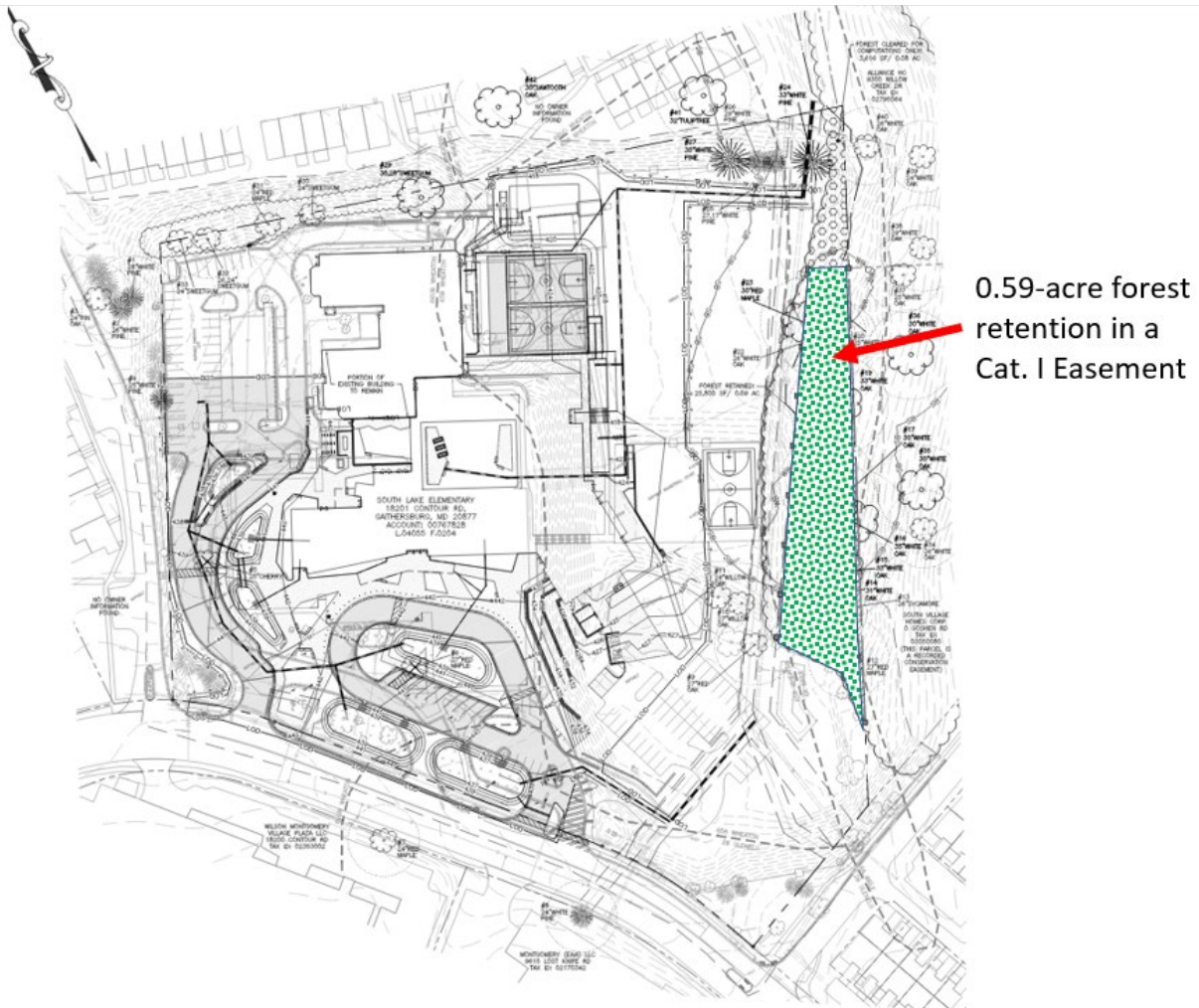


Figure 3: Category I Forest Conservation Easement

CONCLUSION

The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines. Therefore, Staff recommends approval of the Preliminary/Final Forest Conservation Plan with the conditions cited in this Staff Report.

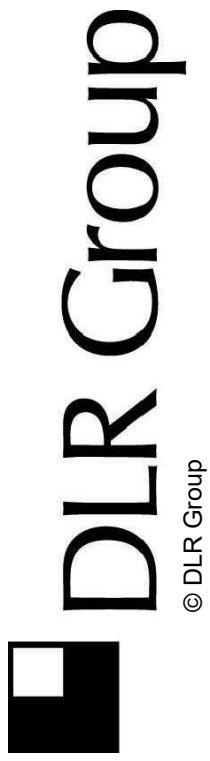
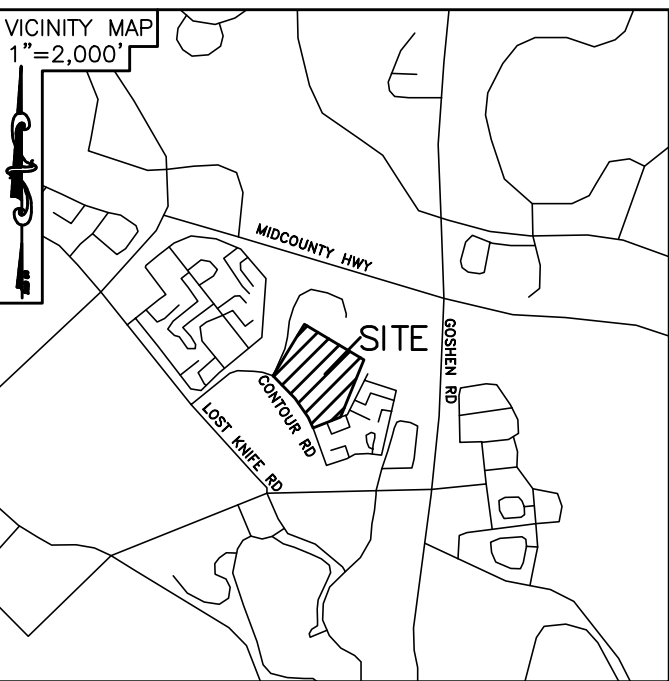
ATTACHMENT

1. Final Forest Conservation Plan

SOUTH LAKE ELEMENTARY SCHOOL

FINAL FOREST CONSERVATION PLAN

18201 CONTOUR ROAD, GAITHERSBURG, MD 20877



SOUTH LAKE ELEMENTARY SCHOOL

18201 CONTOUR RD
GAITHERSBURG, MD 20877

REVISIONS

56-20107-00

FINAL FOREST
CONSERVATION
PLAN
MR2022005

L-1.0

SHEET INDEX

- **L-1.0** FINAL FOREST CONSERVATION PLAN - COVER SHEET
- **L-1.1** FINAL FOREST CONSERVATION PLAN
- **L-1.2** FINAL FOREST CONSERVATION PLAN - NOTES & DETAILS

CERTIFICATION OF QUALIFIED PROFESSIONAL

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

7.9.2021
DATE

MICHAEL A. NORTON
MDNR / COMAR 08.19.06.01
QUALIFIED PROFESSIONAL

NORTON LAND DESIGN
LANDSCAPE ARCHITECTURE + ENVIRONMENTAL PLANNING
5148 DORSEY HALL DRIVE, 2ND FLOOR ELLICOTT CITY, MD 21042
BALT 443.542.9199 WWW.NORTON-LANDDESIGN.COM

WATER CLASS		I,P		WATERSHED		MIDDLE GREAT SENECA CREEK		FEMA FLOODPLAIN		MAP PANEL #		24031C0189D			
TRIBUTARY		WHEATSTONE RUN		200 SHEET		225NW09		ADC MAP		PAGE		19 GRID F6			
TAX MAP		FT563		DATE		JULY 2021		PROJ. NO.		20-110		SHEET NO.		L-1.0	
SCALE		AS SHOWN													

DEVELOPER'S CERTIFICATE	
The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. <u>MR2022005</u> including, financial bonding, forest planting, maintenance, and all other applicable agreements.	
Developer's Name:	MONTGOMERY COUNTY PUBLIC SCHOOLS <small>Printed Company Name</small>
Contact Person or Owner:	GARY MOSESMAN DIRECTOR, DIVISION OF FACILITIES MANAGEMENT, MCPS <small>Printed Name</small>
Address:	45 WEST GUIDE DRIVE, SUITE 4300, ROCKVILLE, MD 20850
Phone and Email:	Gary_D_Mosesman@mcpsmd.org
Signature:	

1

FOREST CONSERVATION WORKSHEET
South Lake Elementary School

NET TRACT AREA:		
A. Total tract area ...	10.20	
B. Additions to tract area (Off-Site Work, etc.; construction required by this plan)...	0.12	
C. Land dedication acres (parks, county facility, etc.) ...	0.00	
D. Land dedication for roads or utilities (construction not required by this plan) ...	0.16	*
E. Area to remain in commercial agricultural production/use ...	0.00	
F. Other deductions (specify)	0.00	
G. Net Tract Area	10.16	

LAND USE CATEGORY: (from Chapter 22A-3. Definitions)
Input the number "1" under the appropriate land use, limit to only one entry.

ARA	MDR	IDA	HDR	MPD	CIA
0	0	0	1	0	0

G. Afforestation Threshold ...	15%	x G =	1.52
H. Conservation Threshold ...	20%	x G =	2.03

EXISTING FOREST COVER:		
I. Existing forest cover	0.67	
J. Area of forest above afforestation threshold	0.00	
K. Area of forest above conservation threshold	0.00	

BREAK EVEN POINT:		
L. Forest retention above threshold with no mitigation	0.00	
M. Clearing permitted without mitigation	0.00	

PROPOSED FOREST CLEARING:		
N. Total area of forest to be cleared	0.08	**
O. Total area of forest to be retained	0.59	

PLANTING REQUIREMENTS:		
P. Reforestation for clearing above conservation threshold	0.00	
Q. Reforestation for clearing below conservation threshold	0.16	
R. Credit for retention above conservation threshold	0.00	
S. Total reforestation required	0.16	
T. Total afforestation required	0.85	
U. Credit for landscaping (may not exceed 20% of "S")	0.00	
V. Total reforestation and afforestation required	1.01	***

*AREA OF FOREST NETTED OUT DUE TO EXISTING UTILITY EASEMENT.
**SHOWN AS CLEARED FOR COMPUTATION PURPOSES ONLY.
***FORESTATION REQUIREMENT TO BE MET THROUGH THE PURCHASE OF OFFSITE FOREST BANKING, OR THROUGH FEE-IN-LIEU.

SITE TABULATIONS:

ACREAGE OF TRACT:	10.16*
ACREAGE OF TRACT REMAINING IN AGRICULTURE:	0
ACREAGE OF ROAD AND UTILITY R/W WHICH WILL NOT BE IMPROVED AS PART OF DEV. APPLICATION:	0
ACREAGE OF EX. FOREST:	0.67
ACREAGE OF TOTAL FOREST RETENTION:	0.59
ACREAGE OF TOTAL FOREST CLEARED:	0.08**
LAND USE CATEGORY:	HDR
AFFORESTATION THRESHOLD	1.52
CONSERVATION THRESHOLD	2.03
ACREAGE OF FOREST RETAINED, CLEARED, AND PLANTED WITHIN WETLANDS	0.05/0.00/0.00
ACREAGE OF FOREST RETAINED, CLEARED, AND PLANTED WITHIN 100-YEAR FLOODPLAIN	0.00/0.00/0.00
ACREAGE OF FOREST RETAINED, CLEARED, AND PLANTED WITHIN STREAM BUFFERS	0.59/0.08**/0.00
ACREAGE OF FOREST RETAINED, CLEARED, AND PLANTED WITH PRIORITY AREAS	0.00/0.00/0.00
LINEAR EXTENT & AVERAGE WIDTH OF STREAM BUFFER	475'/'100'

TOTAL DBH INCHES OF SPECIMEN TREES REMOVED	0
X 0.25 = REQUIRED CALIPER INCHES MITIGATION	0
TOTAL AMOUNT OF 3" CAL. TREES FOR SPECIMEN TREE MITIGATION	0

*SEE FCP WORKSHEET FOR LAND DEDICATION AREAS
**CLEARED FOR COMPUTATIONS ONLY

GENERAL FCP NOTES:

- ROOT PRUNE TRENCH IS NOT TO IMPACT UTILITIES.
- THE EXTENT OF ROOT PRUNING IS TO BE DETERMINED AT THE PRECONSTRUCTION MEETING.
- NO CLEARING IS TO TAKE PLACE OUTSIDE OF THE LIMITS OF DISTURBANCE.

- AREAS SHOWN TO BE CLEARED OUTSIDE OF THE LIMITS OF DISTURBANCE ARE FOR CALCULATIONS ONLY.

SITE PLANTING NOTE:

- TREES AND SHRUBS TO BE PLANTED OUTSIDE OF L.O.D. ARE TO BE DUG WITH HAND EQUIPMENT ONLY. NO MACHINERY IS TO GO OUTSIDE OF L.O.D. PLANTS ARE TO BE INSTALLED AND STABILIZED SAME DAY.

INSPECTIONS

All field inspections must be requested by the applicant.

Field Inspections must be conducted as follows:

Plans without Planting Requirements

1. After the limits of disturbance have been staked and flagged, but before any clearing or grading begins.
2. After necessary stress reduction measures have been completed and protection measures have been installed, but before any clearing and grading begin and before release of the building permit.
3. After completion of all construction activities, but before removal of tree protection fencing, to determine the level of compliance with the provision of the forest conservation.

Additional Requirements for Plans with Planting Requirements

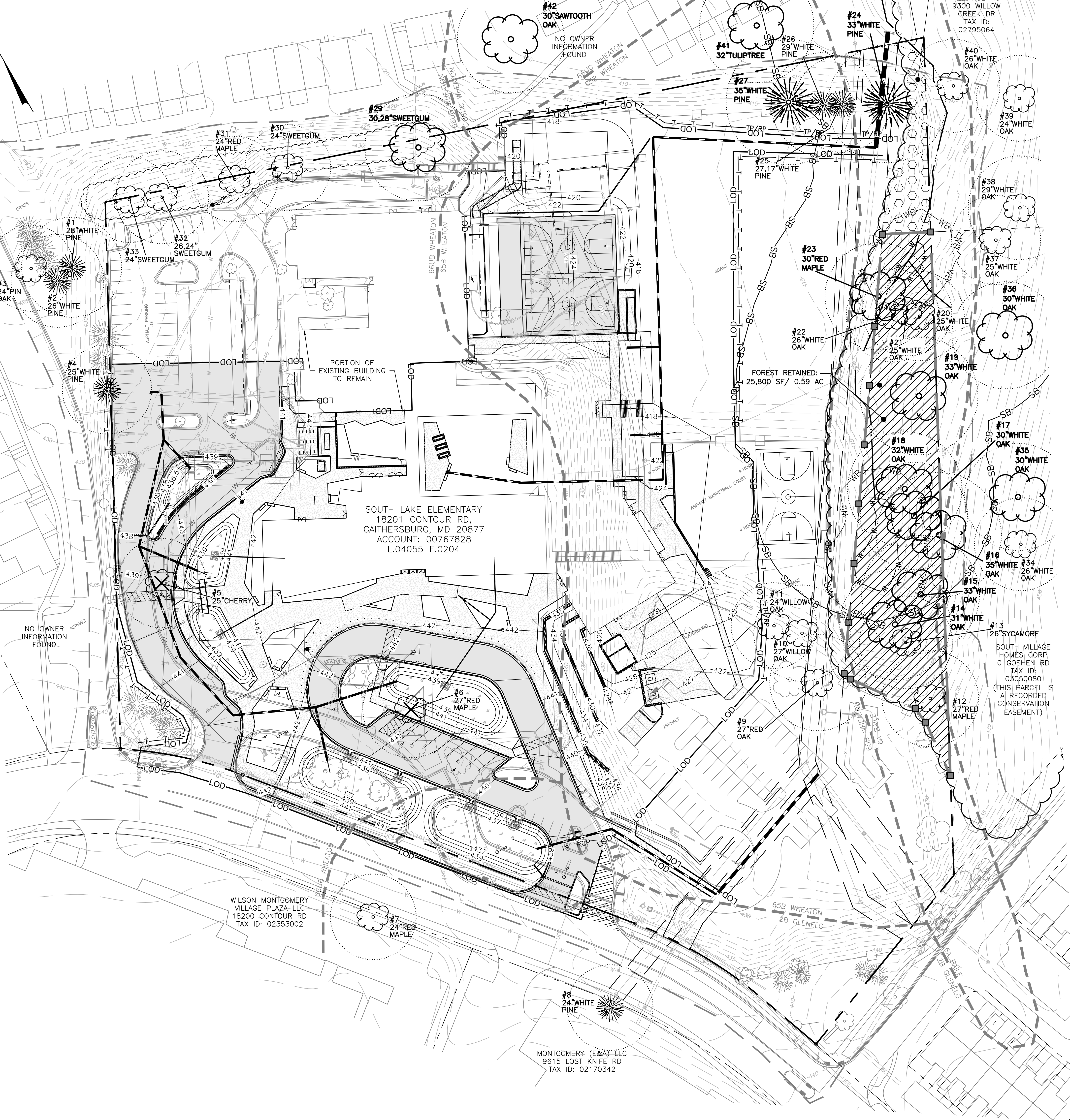
4. Before the start of any required reforestation and afforestation planting.
5. After the required reforestation and afforestation planting has been completed to verify that the planting is acceptable and prior to the start the maintenance period.
6. At the end of the maintenance period to determine the level of compliance with the provisions of the planting plan, and if appropriate, release of the performance bond.

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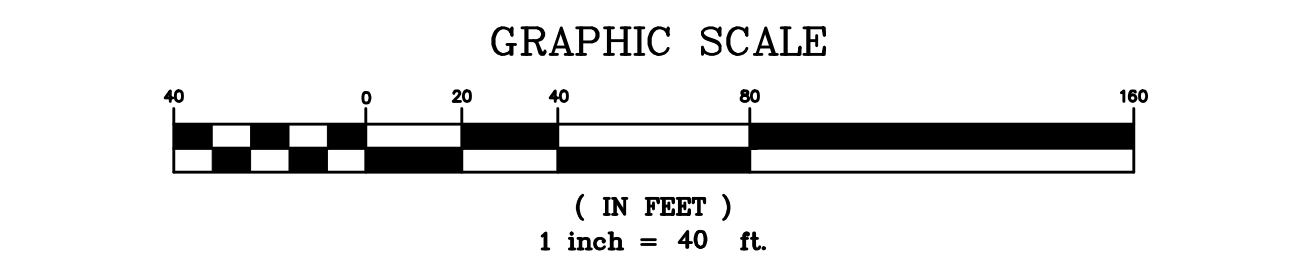
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LEGEND

- EXISTING TREE <24\"/>
- EXISTING SIGNIFICANT TREE ≥24\"/>
- EXISTING SPECIMEN TREE ≤30\"/>
- EXISTING PROPERTY BOUNDARY
- EXISTING ADJ PROPERTY BOUNDARY
- EX. CONTOUR
- SOIL BOUNDARY
- SURVEY BOUNDARY
- FOREST BOUNDARY
- SCRUB/SHRUB BOUNDARY
- STREAM CENTERLINE
- 100' STREAM BUFFER
- POTENTIAL WETLAND BOUNDARY
- 25' WETLAND BUFFER
- EXISTING EASEMENT
- LIMITS OF DISTURBANCE
- PROPOSED PAVING
- TEMPORARY TREE PROTECTION FENCE
- TEMPORARY TREE PROTECTION FENCE/ROOT PRUNE LINE
- PROPOSED CAT. 1 EASEMENT AREA W/ PERMANENT SIGNAGE
- FOREST RETAINED
- FOREST CLEARED FOR COMPUTATIONS ONLY
- SIGNIFICANT/SPECIMEN TREE TO BE REMOVED



CERTIFICATION OF QUALIFIED PROFESSIONAL

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

7.9.2021
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Phone and Email:	Gary_D.Mosesman@mcpsmd.org
Signature:	

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SCALE	AS SHOWN	DATE	JULY 2021	PRG. NO. 20-110
				SHEET NO. L-1.1

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L-1.1

