

## STONEGATE ELEMENTARY SCHOOL

### FOREST CONSERVATION PLAN NO. MR2021035



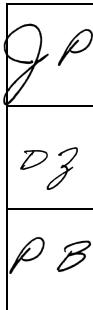
#### Description

**Proposed new elementary school, approximately 84,130 SF building, play areas and associated infrastructure to replace existing school on a 10.26-acre property; located at 14811 Notley Road, approximately 15 feet east of Fieldstone Road in Silver Spring, MD**



NO. MR2021035 COMPLETED: 12-03-2021	MCPB Item No. 8 December 16, 2021	2425 Reedie Drive Floor 14 Wheaton, MD 20902
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Patrick Butler, Chief Upcounty Planning Division, [Patrick.Butler@montgomeryplanning.org](mailto:Patrick.Butler@montgomeryplanning.org), 301-495-4561

## Summary

- Staff recommends Approval with Conditions of the Final Forest Conservation Plan and Tree Variance Request.
- There are two items for Planning Board review for this project: The Final Forest Conservation Plan and the Mandatory Referral.
- This memorandum covers Staff review and proposed conditions for the Final Forest Conservation Plan. The review and recommendations for the Mandatory Referral are covered in a separate memorandum.

### LOCATION:

14811 Notley Rd

Silver Spring, MD 20905

### MASTER PLAN & ZONE

1997 Cloverly Master Plan

Zoned R-200

### PROPERTY SIZE

10.26 Acres

### APPLICATION

Stonegate Elementary School Mandatory  
Referral

### ACCEPTANCE DATE:

July 7, 2021

### REVIEW BASIS:

Chapter 22A

## **Conditions**

Staff recommends Approval of the Final Forest Conservation Plan ("FFCP") and variance request with the following conditions:

1. Prior to 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.
2. The Applicant must plant the variance tree mitigation plantings on the Subject Property with a minimum size of 3 caliper inches totaling 66.75 caliper inches as shown on the approved FCP. Adjustments to the planting locations of these trees is permitted with the approval of the M-NCPPC Forest Conservation Inspection Staff.
3. 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.

## SECTION I

### INTRODUCTION

#### Site Description

The Stonegate Elementary School site consists of 10.26 acres, Parcels C and D (identified in Deeds recorded at B. 3612 P. 689 and B. 4022 P. 421) respectively, located at 14811 Notley Road, Silver Spring ("Site") and zoned R-200. The Site is bounded to the north and south by residential development, to the west by Notley Road, and to the east by Montgomery Park property. A stream valley buffer for Rolling Stone Tributary (a tributary of Northwest Branch) exists on the south and east sides of the Site. There is 0.92 acres of forest onsite along the east and southeast portions of the Site. Additionally, individual trees ring the existing school use. The Site is within the boundaries of the 1997 *Cloverly Master Plan*.

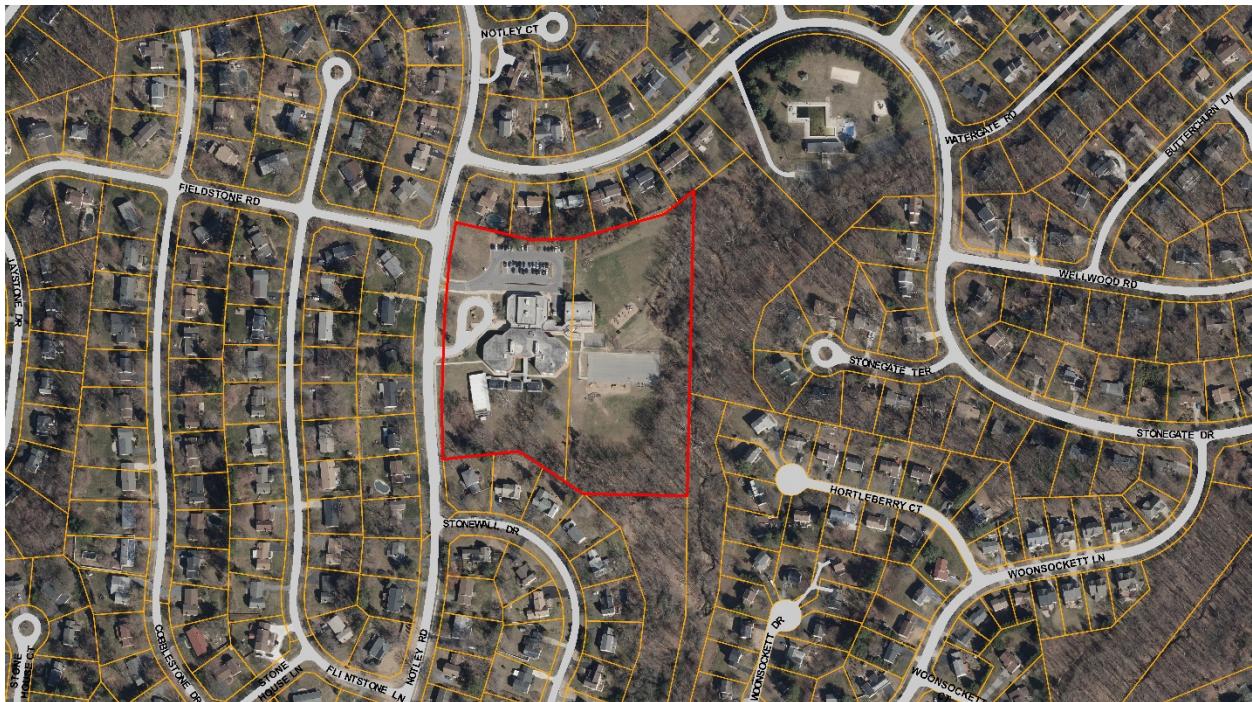


Figure 1: Aerial Photograph of the Vicinity

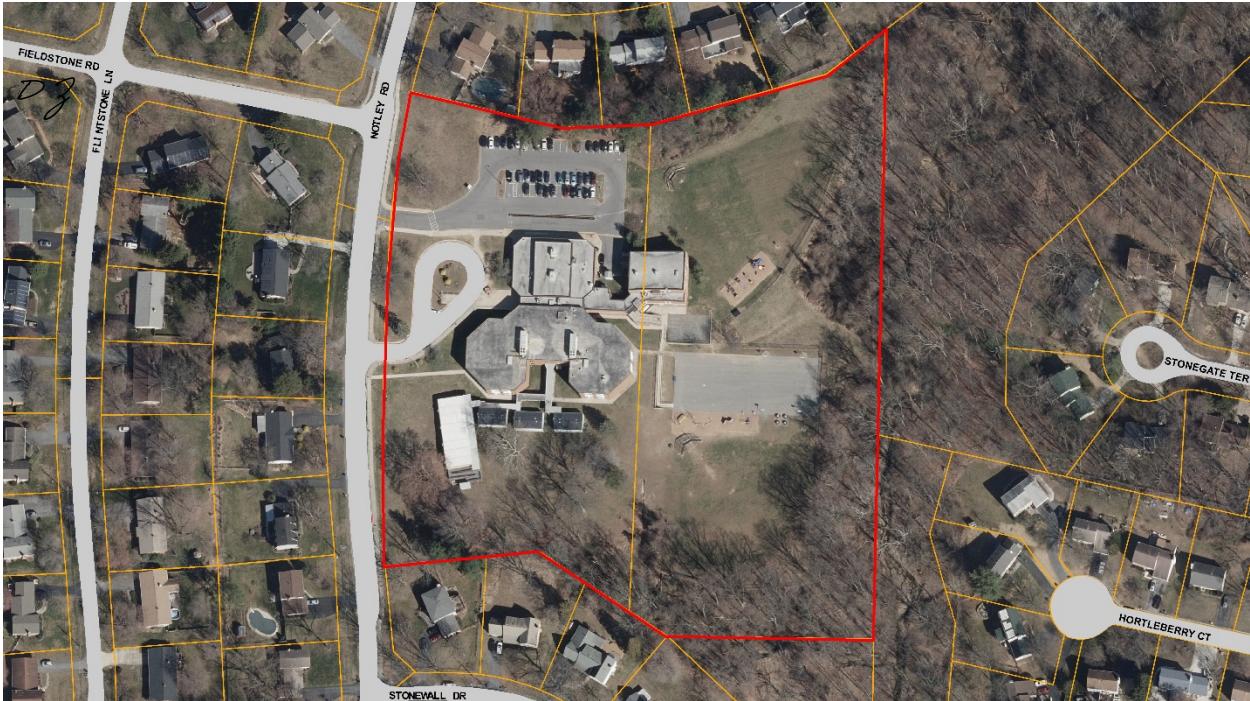


Figure 2: Aerial Photograph of the Site

## Project Description

Montgomery County Public Schools (“Applicant”) is proposing to raze the existing school and replace it with a newly constructed Stonegate Elementary School. The project is proposed to be completed in July of 2023. The school will provide program spaces for Pre-Kindergarten, Kindergarten, and Grades 1 through 5 when completed.

The proposed site plan situates the new building near the northern center of the Site, the parking, bus loop and student drop-off loop are located on the western side of the Site along Notley, and the ballfields and play areas are located on the southeastern portion of the site.

The existing school, temporary classrooms, play areas and associated infrastructure are planned to be removed and replaced by a new building, play areas and associated infrastructure. The foundation of the existing gymnasium wing will remain and continue to be used for the new building. The new 3 story building includes approximately 84,130 square feet of gross floor area. The existing parking lot situated to the side of the Property is proposed to be relocated along the frontage of Notley Road.

The new school will increase the program capacity of the school and will provide an enhanced learning environment for the students.

The plans include two drop off and parking loops that connect to Notley Road. The north loop will be used for school bus drop off and faculty parking and the south loop will be used for student drop off and additional faculty and visitor parking. ADA compliant paths will be provided to the building and the various play areas from the drop off loops and parking areas. In addition, concrete walk connections will be installed to provide access to the walks next to Notley Road.

Stormwater management requirements for the project will be met with the installation of micro-bioretention facilities and bio swales that were chosen due to their ability to conform to existing Site features. These practices will be concentrated around vehicular impervious areas whenever possible but will also be used to manage runoff from the building rooftop and play areas.

## SECTION II

### FOREST CONSERVATION

#### **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 10.26 acres in size, with an address of 14811 Notley Road, Silver Spring, MD.

##### [Environmental Guidelines](#)

A Natural Resources Inventory and Forest Stand Delineation (NRI/FSD) #420211510 was approved by Staff on March 12, 2021. The Site is within the Northwest Branch watershed, a Use IV designation. The Site contains 0.92 acres of forest, Stream Valley Buffer (SVB), and 100-year Floodplain. The Subject Property is not located within a Special Protection Area or the Patuxent Management Area.

##### [Forest Conservation](#)

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law (“FCL”). As required by Chapter 22A, a Final Forest Conservation Plan (“FFCP”) was submitted with this Mandatory Referral Application. The total net tract area for forest conservation purposes is 10.42 acres which includes the Subject Property of 10.27 acres, plus off-site work of 0.15 acres for offsite improvements. The Property is zoned R-200 and is classified as High Density Residential (“HDR”) as defined in Section 22A-3 of the FCL and specified in the Trees Technical Manual. The Subject Property contains 0.92 acres of forest and is clearing or counted as clearing in the worksheet 0.61 acres. This results in a total afforestation requirement of 1.86 acres as calculated in the Forest Conservation Worksheet. The Applicant is proposing to meet this afforestation requirement by planting 1.92 acres of forest onsite and protecting it with a Category I Conservation Easement.

##### [Forest Conservation Variance](#)

Section 22A-12(b)(3) of the FCL provides criteria that identify certain individual trees and other vegetation as high priority for retention and protection. The law requires that there be no impact to: trees that measure 30 inches or greater diameter breast height (“DBH”); are part of an historic site or designated with an historic

structure; are designated as national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species. Any impact to high priority vegetation, including disturbance to the critical root zone ("CRZ") requires a variance. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the FCL. Staff determined that development of the Site requires impact to trees identified as high priority for retention and protection ("Protected Trees"). The Applicant has submitted a variance request for these impacts.

#### Variance Request

The Applicant submitted a variance request in a letter dated June 15, 2021, for the impact to eleven (11) Protected Trees (Attachment C). The Applicant proposes to impact four (4) Protected Trees and remove seven (7) Protected Trees that are 30 inches or greater, DBH. Details of the Protected Trees to be impacted or removed are provided in Table 1.

TREE VARIANCE TABLE							
Tree #	Species (Scientific Name)	Species (Common Name)	D.B.H (inches)	IMPACTS (%)	Tree Condition	Status	Impact Comments
2	ACER RUBRUM	RED MAPLE	48	37	GOOD	SAVE/PROTECT	PROPOSED DUMPSTER AND GENERATOR BOX
3	QUERCUS RUBRA	RED OAK	30	9	GOOD	SAVE/PROTECT	GRADING AND STORMWATER MANAGEMENT
5	QUERCUS PALUSTRIS	PIN OAK	32	100	GOOD	REMOVE	NEW DRIVE AISLE
9	ACER RUBRUM	RED MAPLE	45	100	GOOD	REMOVE	GRADING AND NEW DRIVE AISLE
10	ACER RUBRUM	RED MAPLE	30	25	FAIR	SAVE/PROTECT	GRADING AND STORMWATER MANAGEMENT
13	PLATANUS OCCIDENTALIS	SYCAMORE	51	53	GOOD	REMOVE	GRADING AND NEW DRIVE AISLE
14	ACER RUBRUM	RED MAPLE	34	100	FAIR	REMOVE	UTILITIES AND NEW PLAY AREA
15	QUERCUS PALUSTRIS	PIN OAK	32	2	FAIR	SAVE/PROTECT	UTILITIES AND NEW PLAY AREA
45	PINUS STROBUS	WHITE PINE	33	37	FAIR	REMOVE	STORMWATER MANAGEMENT
48	QUERCUS PALUSTRIS	PIN OAK	38	100	FAIR	REMOVE	STORMWATER MANAGEMENT
49	PINUS STROBUS	WHITE PINE	30	100	FAIR	REMOVE	NEW PLAY AREA AND STORMWATER MANAGEMENT

Table 1: Variance Tree request

#### Unwarranted Hardship Basis

Pursuant to Section 22A-21, a variance may only be considered if the Planning Board finds that leaving the Protected Trees in an undisturbed state would result in an unwarranted hardship, denying an applicant reasonable and significant use of the Subject Property. The Applicant contends that an unwarranted hardship would be created due to existing conditions on the Site and the development requirements for the Site. The Site contains eleven (11) trees subject to the variance provision which will be impacted by this Application.

If MCPS is not allowed to impact the trees, the school will not be able to be constructed due to the close proximity of specimen trees to the proposed school, proposed utilities, and site grading. As such, this would cause an unwarranted hardship to the community that it serves.

### Variance Findings

Section 22A-21 of the FCL sets forth the following findings that must be made by the Planning Board or Planning Director, as appropriate, for a variance to be granted and to approve the Forest Conservation Plan:

- 1. Will not confer on the applicant a special privilege that would be denied to other applicants.*

Granting the variance will not confer a special privilege on the Applicant as the disturbance to the Protected Trees is due to the reasonable development of the Subject Property. Granting a variance to allow land disturbance within the developable portion of the Subject Property is not unique to this Applicant.

- 2. Is not based on conditions or circumstances which are the result of the actions by the applicant.*

The need for the variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based on existing site conditions, including the location of the Protected Trees within developable area of the Subject Property, the new school construction, proposed utilities, and site grading.

- 3. Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The surrounding land uses do not have any inherent characteristics or conditions that have created or contributed to this need for a variance.

- 4. Will not violate State water quality standards or cause measurable degradation in water quality.*

The Variance will not violate State water quality standards or cause measurable degradation in water quality. The Protected Trees being impacted are not located within a stream buffer, wetland, or a special protection area. Additional trees will be planted on the Subject Property as part of the forest conservation requirements.

In addition, the Montgomery County Department of Permitting Services (MCDPS) is reviewing a stormwater management concept for the proposed project. The stormwater management concept incorporates Environmental Site Design standards.

### Mitigation for Protected Trees

There are eight (8) trees proposed for removal in this Variance request resulting in a total of 263 inches of DBH being removed. The FCP includes mitigation at a rate that approximates the form and function of the trees removed. These trees will be replaced at a ratio of approximately 1-inch caliper for every 4 inches removed using trees that are a minimum of 3 caliper in size. This results in a total mitigation of 65.75 inches with an installation of 22 3-inch caliper trees.

Although these trees will not be as large as the trees lost, they will provide some immediate benefit and ultimately replace the canopy lost by the removal of these trees. These mitigation trees must be overstory trees native to the Piedmont Region of Maryland and installed on the Subject Property outside of any rights-of-way and/or utility easements.

### Variance Recommendation

Staff has reviewed the variance request and has compared the impacts versus the impacts that would be associated with the Staff Concept Layout. The Staff concept would have moved the main school building to the west and moved the parking mainly to the south side of the building. The movement of the building to the west would not eliminate or reduce variance tree impacts on the north and south sides of the school building. The impacts of the Applicant's layout on variance trees is less than or equal to the impacts of Staff's Concept layout.

Staff recommends Approval of the requested tree variance.

### CONCLUSION

Staff recommends the Planning Board approve the Final Forest Conservation Plan with conditions specified above.

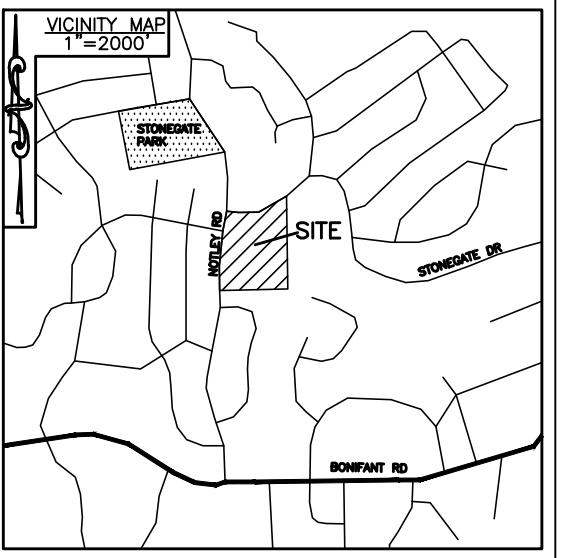
### **Attachments:**

1. Forest Conservation Plan
2. Variance Request

# STONEGATE ELEMENTARY SCHOOL

## FINAL FOREST CONSERVATION PLAN

14811 NOTLEY RD, SILVER SPRING, MD 20905



### SHEET INDEX

- L-1.0 FINAL FOREST CONSERVATION PLAN - COVER SHEET
- L-1.1 FINAL FOREST CONSERVATION PLAN - OVERALL
- DRAWING KEY
- L-1.2 FINAL FOREST CONSERVATION PLAN
- L-1.3 FINAL FOREST CONSERVATION PLAN

ARCHITECT

**SEI** SMOLEN • EMR  
ILKOVITCH ARCHITECTS  
9211 CORPORATE BLVD, SUITE 340  
ROCKVILLE, MD 20850  
301-770-0777(P) 301-330-3224(F)

CIVIL  
MACRIS, HENDRICKS &  
GLASCOCK, P.A.  
9220 WIGHTMAN RD, SUITE 120  
MONTGOMERY VILLAGE, MD 20886  
(301) 670-8640

KITCHEN  
NIYIKOS-GARCIA  
FOODSERVICE DESIGN INC.  
7146 STARMOUNT WAY NEW MARKET,  
MD 21774  
(240) 683-9530

STRUCTURAL  
COMPREHENSIVE  
STRUCTURAL SOLUTIONS,  
LLC  
9220 WIGHTMAN ROAD, SUITE 120,  
MONTGOMERY VILLAGE, MD 20886  
(240) 200-5599

MECH/ELECTRICAL/PLUMBING  
JAMES POSEY  
ASSOCIATES INC.  
1115 RED RUN BLVD, OWINGS MILLS,  
MD 21117  
(410) 265-6100

LEED  
DOO CONSULTING

531 PICCADILLY RD, TOWSON, MD 21204  
(443) 653-3792

CONSTRUCTION MANAGER  
KELLER CONSTRUCTION CO.  
1012 RISING RIDGE ROAD, MT. AIRY, MD  
21771  
(301) 607-9300

PROFESSIONAL SEAL:

PRINTS ISSUED

NO:	DESCRIPTION:	DATE:
1	DD PRICING SET	04/02/2021
2	DD IAC SUBMISSION	04/30/2021
3	BID SET	09/08/2021
A	ADDENDUM #4	09/28/2021

STONEGATE  
ELEMENTARY  
SCHOOL

MONTGOMERY  
COUNTY PUBLIC  
SCHOOLS

SHEET TITLE:  
FINAL FOREST  
CONSERVATION PLAN –  
COVER SHEET

PROJECT NO:  
20008  
DATE:  
6.25.2021  
SCALE:  
AS SHOWN  
SHEET NO:  
1.0  
WORKING NORTH

### CERTIFICATION OF QUALIFIED PROFESSIONAL

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

10.13.2021

*[Signature]*  
MICHAEL A. NORTON  
MCPS&PC COORDINATOR  
QUALIFIED PROFESSIONAL

<b>NORTON LAND DESIGN</b>	
LANDSCAPE ARCHITECTURE + ENVIRONMENTAL PLANNING	
5140 DORSEY HALL DRIVE, 2ND FLOOR ELICOTT CITY, MD 21042	
P-443-542-9199 WWW.NORTONLANDDESIGN.COM	
WATER CLASS IV TRIBUTARY: ROLLING STONE	WATERSHED: NORTHWEST BRANCH FEMA FLOODPLAIN MAP: C001C0560D 24031C0560D
TAX MAP: J53A1 SHEET: 220NW01 PAGE: 31	ADC MAP: 31 SHEET: G3 PAGE: 31
SCALE: AS SHOWN	DATE: JUNE 2021 PROJ. NO: 20-121 SHEET NO: L-1.0

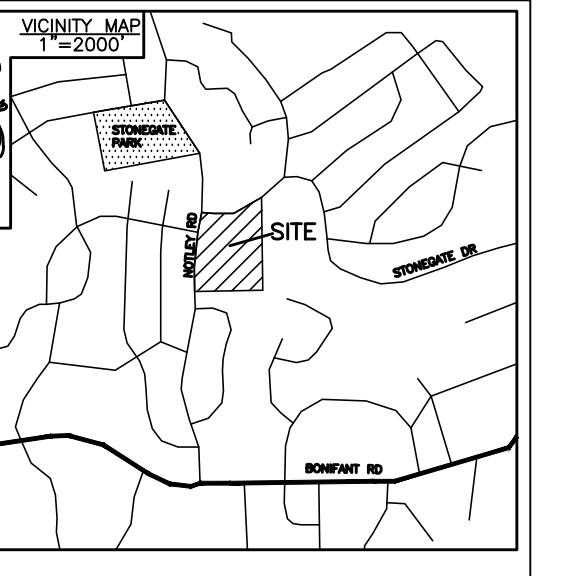
### DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. MC2021035, including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name:	MONTGOMERY COUNTY PUBLIC SCHOOLS Printed Company Name
Contact Person or Owner:	GARY MOSEMAN DIRECTOR, DIVISION OF FACILITIES MANAGEMENT, MCPS Printed Name
Address:	45 WEST GUIDE DRIVE, SUITE 4300, ROCKVILLE, MD 20850
Phone and Email:	Gary_D_Moseman@mcpsmd.org
Signature:	[Signature]

## LEGEND

EXISTING SIGNIFICANT TREE >24"	& <30"DBH WITH TAG NUMBER & CRZ
EXISTING SPECIMEN TREE >30"DBH	WITH TAG NUMBER & CRZ
PROPERTY BOUNDARY	
ADJ. PROPERTY BOUNDARY	
FOREST TREELINE	
EX. CONTOUR	
TOP OF STREAM BANK	
SB—SB—SB	125'+ STREAM BUFFER
FP — FP —	FEMA 100YR FLOODPLAIN



## Sequence of Events for Properties Required to Comply With Forest Conservation Plans, Exemptions from Submitting Forest Conservation Plans, and Tree Save Plans

The property owner is responsible for ensuring all tree protection measures are performed in accordance with the approved final forest conservation plan or tree save plan, and as modified in the field by a Planning Department Forest Conservation Inspector. The measures must meet or exceed the most recent standards published by the American National Standards Institute (ANSI A300).

## Pre-Construction

- An on-site pre-construction meeting is required after the limits of disturbance have been staked and flagged and before any land disturbance.
  - The property owner must arrange for the meeting and following people should participate at the pre-construction meeting: the property owner or their representative, contractor, architect, engineer, environmental consultant, and a Maryland Licensed Tree Expert (representing owner) that will implement the tree protection measures. The Planning Department Forest Conservation Inspector, and Montgomery County Department of Permitting Services (DPS) Sediment Control Inspector. The purpose of this meeting is verify the limits of disturbance and discuss specific tree protection measures shown on the approved plan. No land disturbance shall begin before tree protection and stress-reduction measures have been implemented and approved by the Planning Department's Forest Conservation Inspector.
    - a. Typical tree protection devices include:
      - i. Chain link fence (four feet high)
      - ii. Super silt fence with wire strung between the support posts (minimum 4 feet high) with high visibility flagging.
      - iii. 14 gauge temporary fencing supported by steel T-bar posts (minimum 4 feet high) with high visibility flagging.
    - b. Typical stress reduction measures may include, but are not limited to:
      - i. Root pruning with a root cutter or vibratory plow designed for that purpose. Trenchers are not allowed, unless approved by the Forest Conservation Inspector
      - ii. Crown Reduction or pruning
      - iii. Watering
      - iv. Fertilizing
      - v. Vertical mulching
      - vi. Root aeration systems
- Measures not specified on the Forest Conservation Plan may be required as determined by the Forest Conservation Inspector in coordination with the property owner's arborist.
- A Maryland Licensed Tree expert must perform, or directly supervise, the implementation of all stress reduction measures. Documentation of the process (including

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photographs) may be required by the Forest Conservation Inspector, and will be determined at the pre-construction meeting.

- Temporary tree protection devices must be installed per the approved Forest Conservation Plan, Exemption Plan, or Tree Save Plan and prior to any land disturbance. The Forest Conservation Inspector, in coordination with the DPS Sediment Control Inspector, may make field adjustments to increase the survivability of trees and forest shown as saved on the approved plan.

- Tree protection fencing must be installed and maintained by the property owner for the duration of construction project and must not be altered without prior approval from the Forest Conservation Inspector. All construction within the protected tree and forest areas prohibited. This includes the following activities:
  - Parking or driving of equipment, machinery or vehicles of any type.
  - Storage of any construction materials, equipment, stockpiling, fill, debris, etc.
  - Dumping of any chemicals (i.e., paint thinner), mortar or concrete remainder, trash, garbage, or debris of any kind.
  - Feeding of trees into a protected area.
  - Trenching or grading for utilities, irrigation, drainage, etc.

- Forest and tree protection signs must be installed as required by the Forest Conservation Inspector. The signs must be waterproof and wording provided in both English and Spanish.

## During Construction

- Periodic inspections will be made by the Forest Conservation Inspector. Corrections and repairs to tree protection devices must be completed within the timeframe given by the Inspector.
- The property owner must immediately notify the Forest Conservation Inspector of any damage to trees, forests, understory, ground cover, and any other undisturbed areas shown on the approved plan. Remedial actions, and the relative timelines to restore these areas, will be determined by the Forest Conservation Inspector.

## Post-Construction

- After construction is completed, but before tree protection devices have been removed, the property owner must request a final inspection with the Forest Conservation Inspector. At the final inspection, the Forest Conservation Inspector may require additional corrective measures, which may include:
  - Removal, and possible replacement, of dead, dying, or hazardous trees
  - Pruning of dead or declining limbs
  - Soil aeration
  - Fertilization
  - Watering
  - Wound repair

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- Clean up of retention areas, including trash removal

- After the final inspection and completion of all corrective measures the Forest Conservation Inspector will request all temporary tree and forest protection devices be removed from the site. Removal of tree protection devices that also operate for erosion and sediment control must be coordinated with both DPS and the Forest Conservation Inspector and cannot be removed without permission of the Forest Conservation Inspector. No additional grading, sodding, or burial may take place after the tree protection fencing is removed.

- Long-term protection measures, including permanent signage, must be installed per the approved plan. Installation will occur at the appropriate time during the construction project. Refer to the approved plan drawing for the long-term protection measures to be installed.

## DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. MR2021035, including, financial bonding, forest planting, maintenance, and all other applicable agreements.

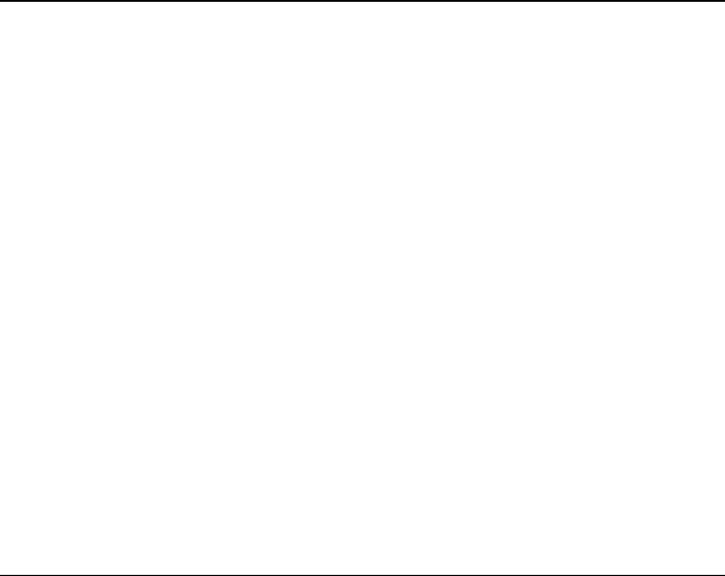
Developer's Name: MONTGOMERY COUNTY PUBLIC SCHOOLS  
Printed Company Name

Contact Person or Owner: GARY MOSEMAN  
DIRECTOR, DIVISION OF FACILITIES MANAGEMENT, MCPS  
Printed Name

Address: 45 WEST GUIDE DRIVE, SUITE 4300, ROCKVILLE, MD 20850

Phone and Email: Gary\_D\_Moseman@mcpmd.org

Signature: \_\_\_\_\_

FOREST CONSERVATION WORKSHEET  
Stonegate Elementary School

NET TRACT AREA:  
A. Total tract area ... 10.27  
B. Additions to tract area (Off-Site Work, etc.; construction required by this plan)... 0.29  
C. Land dedication acres (parks, county facility, etc.) ... 0.00  
D. Land dedication for roads or utilities (construction not required by this plan) ... 0.00  
E. Area to remain in commercial agricultural production/use ... 0.00  
F. Other deductions (specify) ..... 0.00  
G. Net Tract Area ..... = 10.56

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

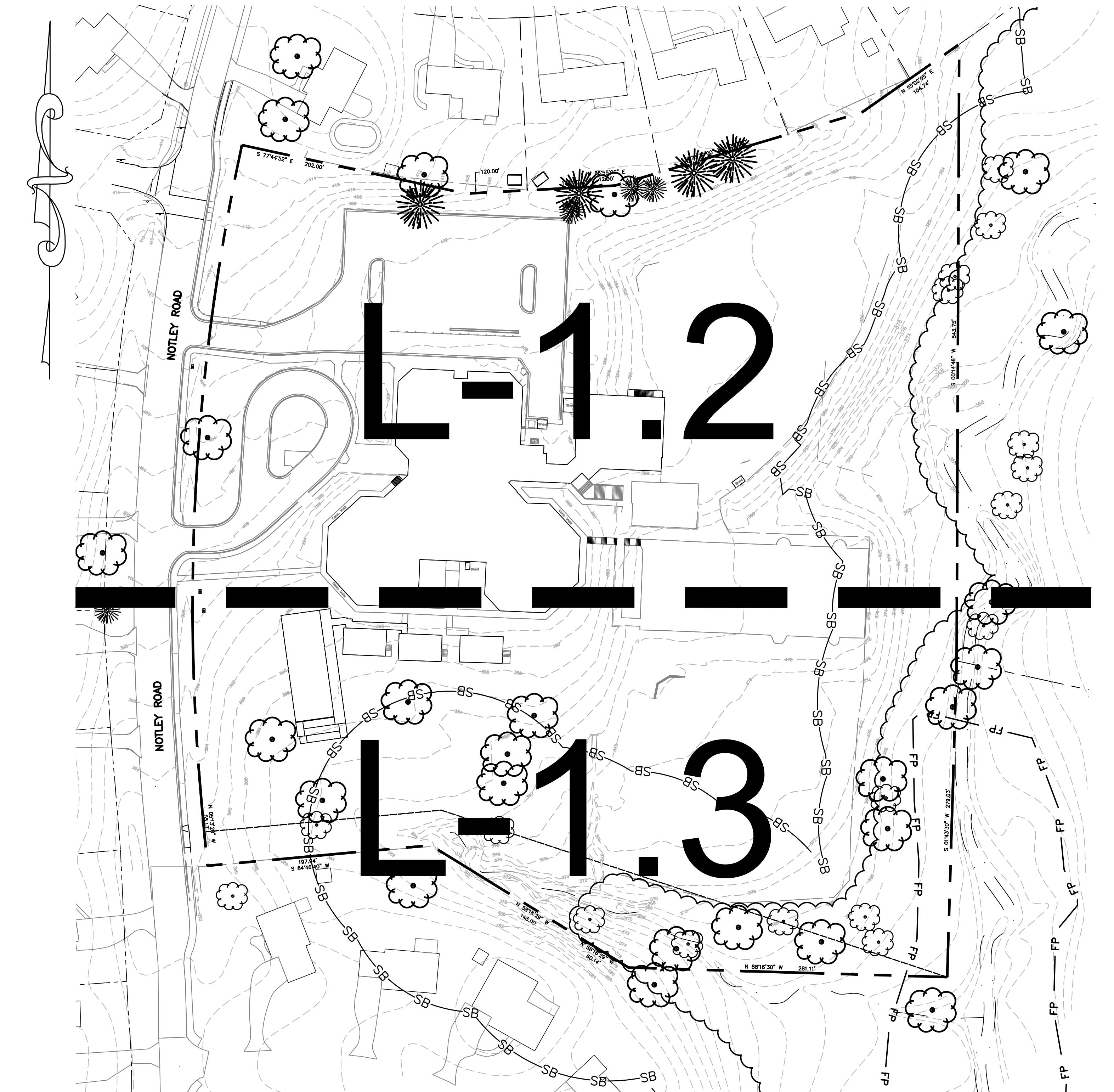
G. Afforestation Threshold ... 15% x G = 1.58  
H. Conservation Threshold ... 20% x G = 2.11

EXISTING FOREST COVER:  
I. Existing forest cover ..... = 0.92  
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

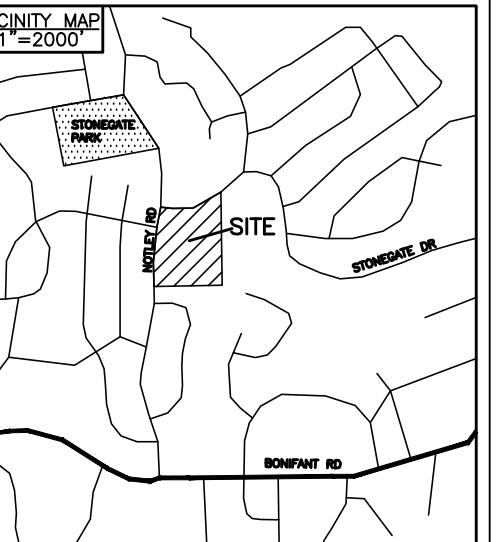
PROPOSED FOREST CLEARING:  
N. Total area of forest to be cleared .....= 0.61  
O. Total area of forest to be retained .....= 0.31

PLANTING REQUIREMENTS:  
P. Reforestation for clearing above conservation threshold ....= 0.00  
Q. Reforestation for clearing below conservation threshold ....= 1.22  
R. Credit for retention above conservation threshold .....= 0.00  
S. Total reforestation required .....= 1.22  
T. Total afforestation required .....= 0.66  
U. Credit for landscaping (may not exceed 20% of "S") ....= 0.00  
V. Total reforestation and afforestation required .....= 1.88



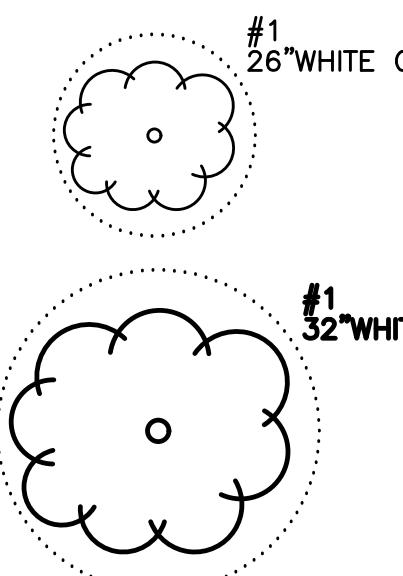
## SITE TABULATIONS:

Species	Species (Common Name)	DBH (inches)	CRZ (SPF)	IMPACTS (%)	Tree Condition	Status	Variance	Mitigation
1 PINUS STROBIS	WHITE PINE	29	5945	5945	100 FAIR DEADSPACE IN CANOPY	REMOVE	NO	NO
2 ACER RUBrum	RED MAPLE	48	16286	6059	37 GOOD SPLIT @ 5' OFFSITE	SAVE/PROTECT	YES	NO
3 QUERCUS RUBRA	RED OAK	30	6362	569	9 GOOD OFFSITE	SAVE/PROTECT	YES	NO
4 QUERCUS RUBRA	RED OAK	30	6362	0	0 GOOD OFFSITE	SAVE/PROTECT	NO	NO
5 QUERCUS PALUSTRIS	PIN OAK	32	7238	7238	100 GOOD MINOR BROKEN BRANCHES	REMOVE	YES	YES
6 ACER RUBrum	RED MAPLE	33	7698	0	0 GOOD OFFSITE	SAVE/PROTECT	NO	NO
7 PINUS STROBIS	WHITE PINE	25	4418	0	0 FAIR DEADSPACE IN CANOPY	SAVE/PROTECT	NA	NA
8 QUERCUS ALBA	WHITE OAK	25	4418	0	0 GOOD OFFSITE	SAVE/PROTECT	NA	NA
9 ACER RUBrum	RED MAPLE	45	14314	14314	100 GOOD LEANING BROKEN BRANCHES	REMOVE	YES	YES
10 ACER RUBrum	RED MAPLE	30	6362	3080	48 FAIR THINNED CANOPY	SAVE/PROTECT	YES	NO
11 QUERCUS PALUSTRIS	PIN OAK	28	5542	2765	50 FAIR THINNED CANOPY	REMOVE	NA	NA
12 JUGLANS NIGRA	BLACK WALNUT	32	7238	0	0 GOOD OFFSITE	SAVE/PROTECT	NO	NO
13 PLATANUS OCCIDENTALIS	SYCAMORE	51	18385	9831	53 GOOD MINOR BROKEN BRANCHES. KNOBS IN TRUNK	REMOVE	YES	YES
14 ACER RUBrum	RED MAPLE	34	8171	8171	100 FAIR BROKEN BRANCHES. SPLIT @ 5'	REMOVE	YES	YES
15 QUERCUS PALUSTRIS	PIN OAK	32	7238	149	2 FAIR SLIGHT LEAN BROKEN BRANCHES.	SAVE/PROTECT	YES	NO
16 QUERCUS PALUSTRIS	PIN OAK	30	6362	0	0 FAIR BROKEN BRANCHES.	SAVE/PROTECT	NO	NO
17 LIRIODENDRON TULIPIFERA	YELLOW POPLAR	26	4778	0	0 GOOD	SAVE/PROTECT	NA	NA
18 LIRIODENDRON TULIPIFERA	YELLOW POPLAR	27	5153	0	0 GOOD	SAVE/PROTECT	NA	NA
19 QUERCUS RUBRA	RED OAK	36	9161	0	0 FAIR BROKEN BRANCHES	SAVE/PROTECT	NO	NO
20 QUERCUS RUBRA	RED OAK	35	8659	0	0 GOOD OFFSITE	SAVE/PROTECT	NO	NO
21 LIRIODENDRON TULIPIFERA	YELLOW POPLAR	24	4072	0	0 FAIR BEING UNEVENLY BY STREAM BANK	SAVE/PROTECT	NA	NA
22 LIRIODENDRON TULIPIFERA	YELLOW POPLAR	41.37	7188	0	0 GOOD SPLIT @ 1'	SAVE/PROTECT	NO	NO
23 QUERCUS PALUSTRIS	PIN OAK	28	5542	0	0 FAIR LARGE CAVITY IN BASE. REMOVE DUE TO CONDITION	REMOVE	NA	NA
24 LIRIODENDRON TULIPIFERA	YELLOW POPLAR	33	7698	0	0 GOOD	SAVE/PROTECT	NO	NO
25 LIRIODENDRON TULIPIFERA	YELLOW POPLAR	32	7238	0	0 GOOD OFFSITE	SAVE/PROTECT	NO	NO
26 LIRIODENDRON TULIPIFERA	YELLOW POPLAR	25	4418	0	0 GOOD	SAVE/PROTECT	NA	NA
27 LIRIODENDRON TULIPIFERA	YELLOW POPLAR	25	4418	0	0 GOOD	SAVE/PROTECT	NA	NA
28 LIRIODENDRON TULIPIFERA	YELLOW POPLAR							

**LEGEND**

EXISTING SIGNIFICANT TREE &gt;24" AND &lt;30"DBH WITH TAG NUMBER &amp; CRZ

EXISTING SPECIMEN TREE &gt;30"DBH WITH TAG NUMBER &amp; CRZ



SURVEY TOPO MNCP&amp;C TOPO

PROPERTY BOUNDARY

ADJ. PROPERTY BOUNDARY

FOREST TREELINE

SCRUB/SHRUB LINE

EX. CONTOUR

TOP OF STREAM BANK

125'+ STREAM BUFFER

FEMA 100YR FLOODPLAIN

TEMPORARY TREE PROTECTION FENCE

TEMPORARY TREE PROTECTION FENCE &amp; ROOTPRUNING

PROPOSED CATEGORY 1 CONSERVATION EASEMENT W/ PERMANENT SIGNAGE

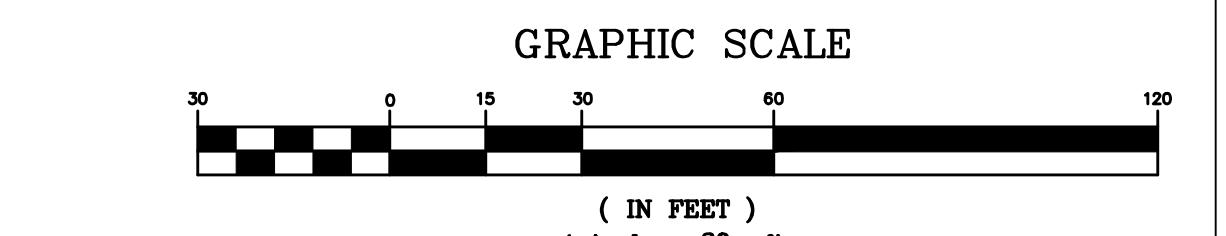
TREE SAVE AREA COUNTED AS FOREST CLEARING FOR COMPUTATIONS ONLY

FOREST RETAINED AREA

REFORESTATION AREA

FOREST CLEARING AREA

TREE TO BE REMOVED



CERTIFICATION OF QUALIFIED PROFESSIONAL

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

10.13.2021 DATE

MICHAEL A. NORTON  
MDSN / COMAR 09.19.06.01  
QUALIFIED PROFESSIONAL

**DEVELOPER'S CERTIFICATE**

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. MR2021035 including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: MONTGOMERY COUNTY PUBLIC SCHOOLS  
Printed Company Name

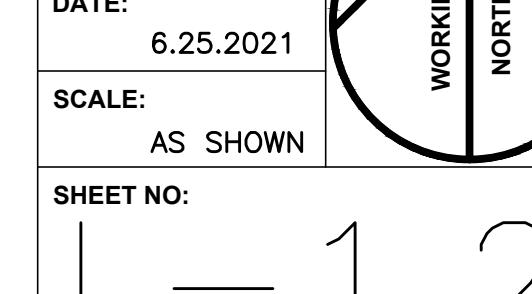
Contact Person or Owner: GARY MOSEMAN  
DIRECTOR, DIVISION OF FACILITIES MANAGEMENT, MCPS  
Printed Name

Address: 45 WEST GUIDE DRIVE, SUITE 4300, ROCKVILLE, MD 20850  
Phone and Email: Gary\_D.Moseman@mcpmd.org

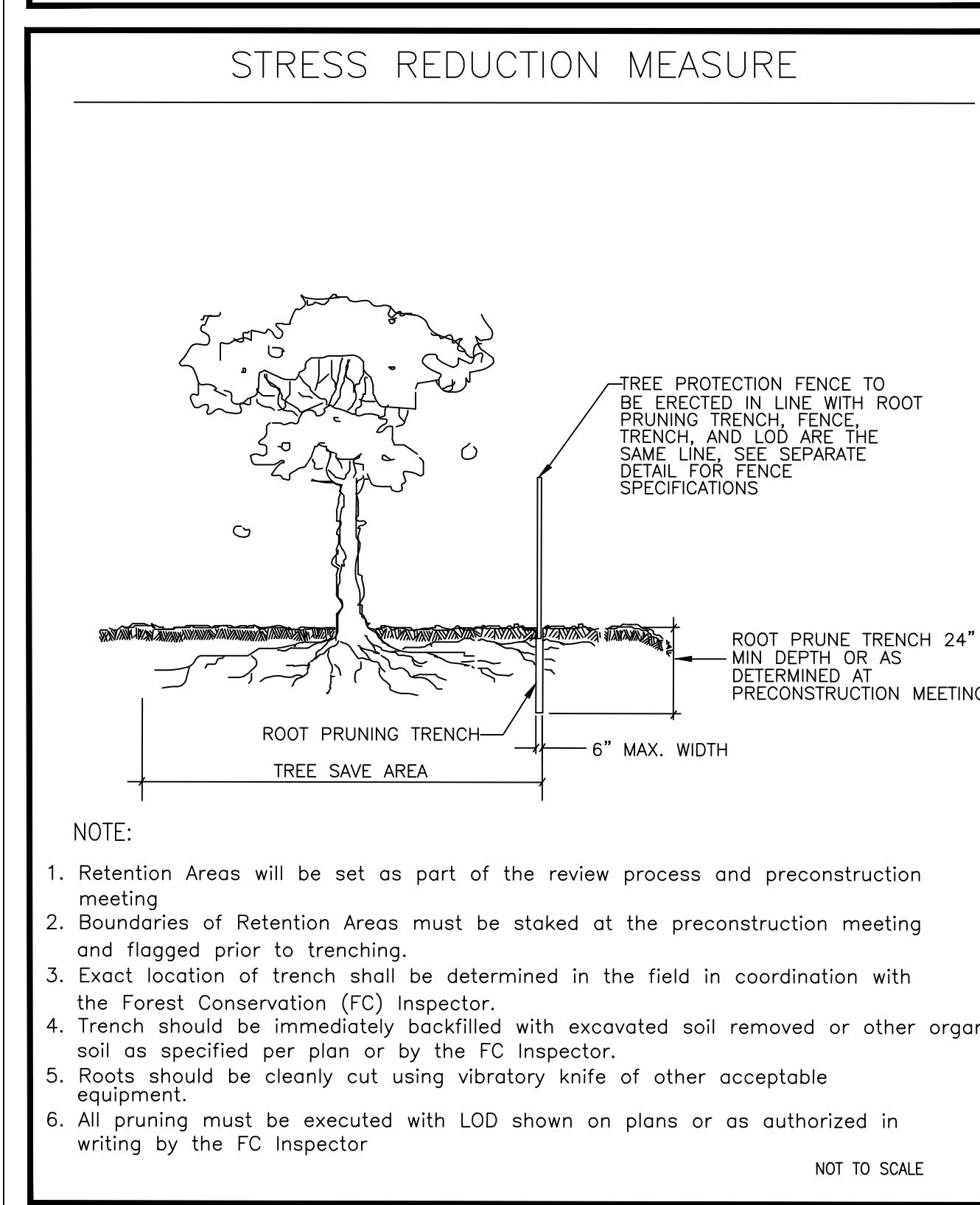
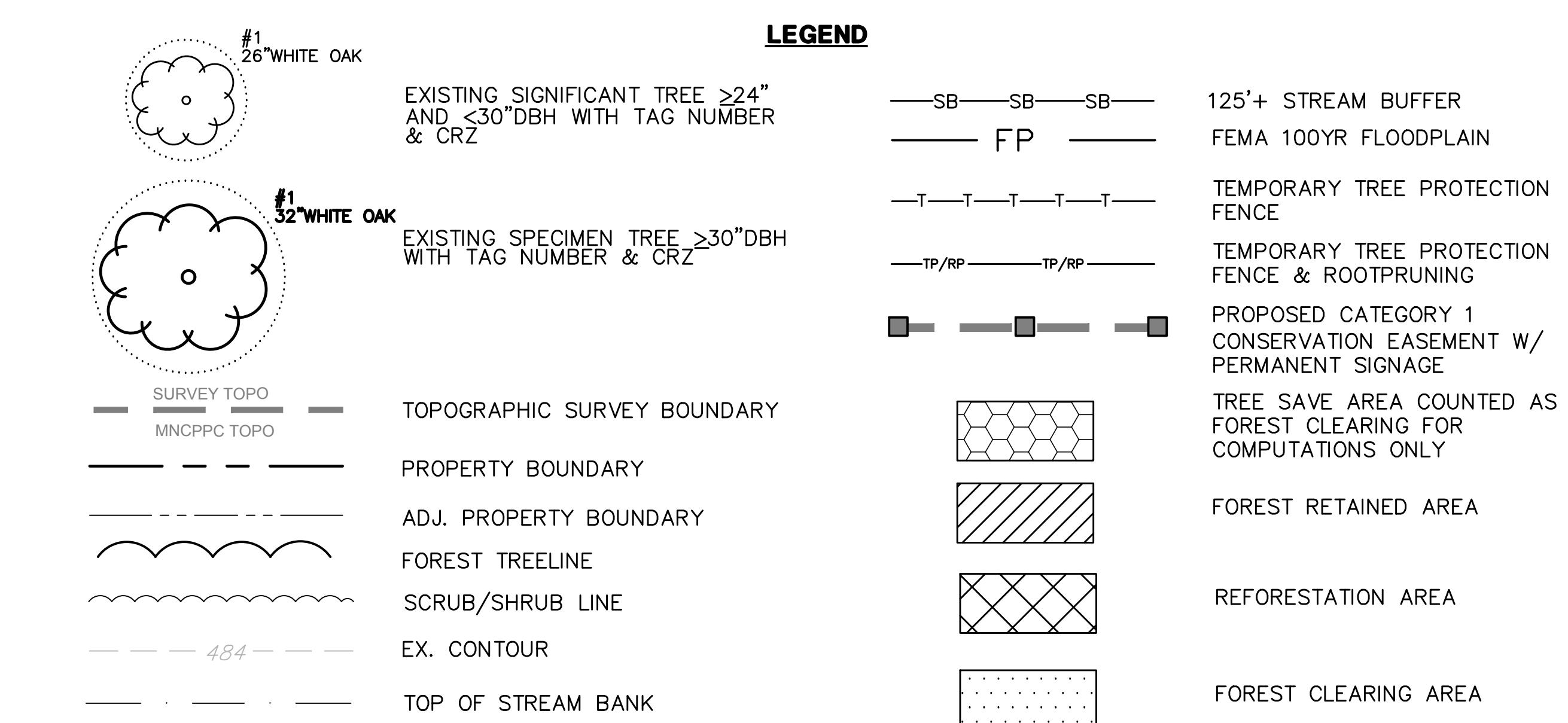
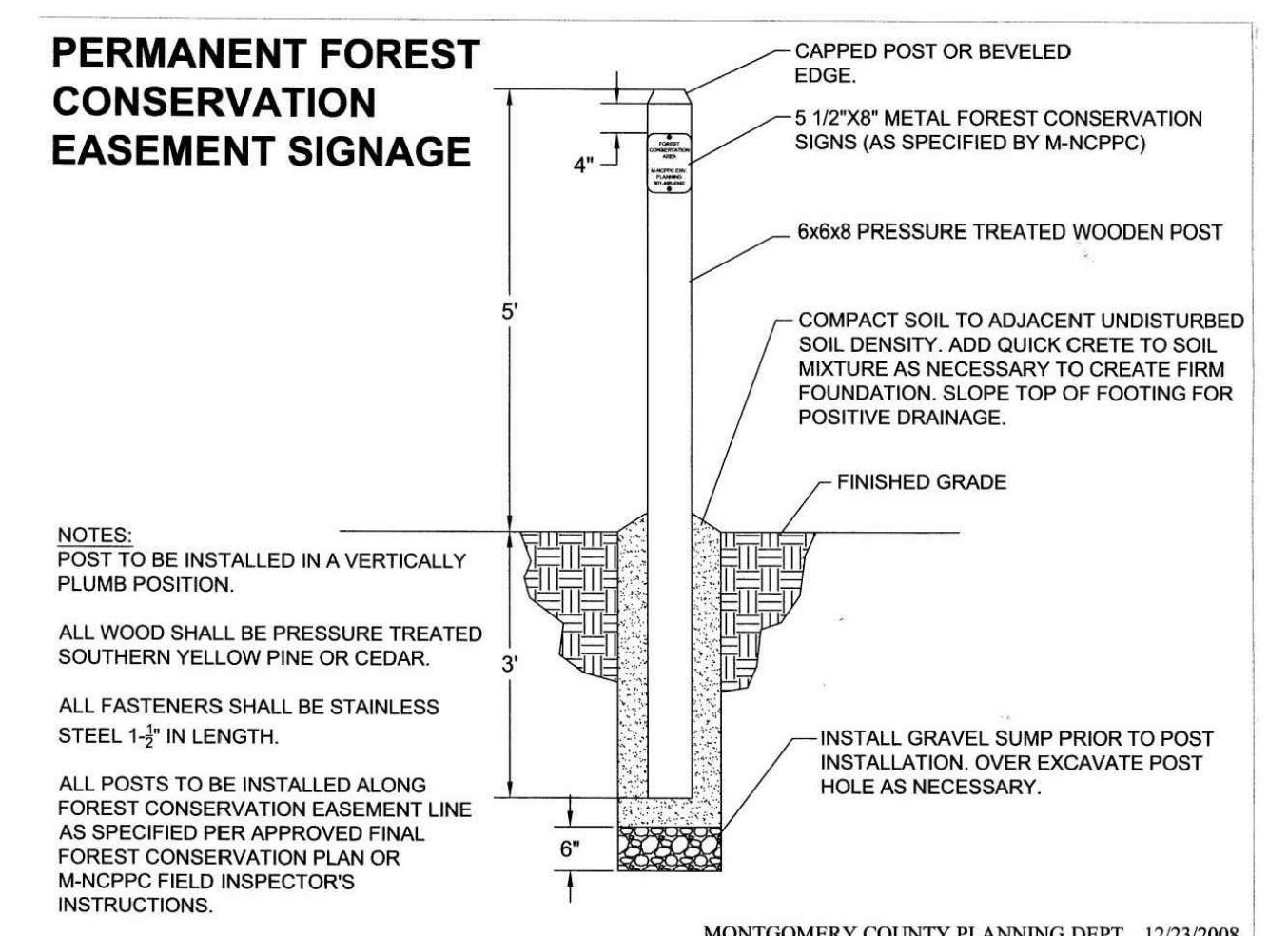
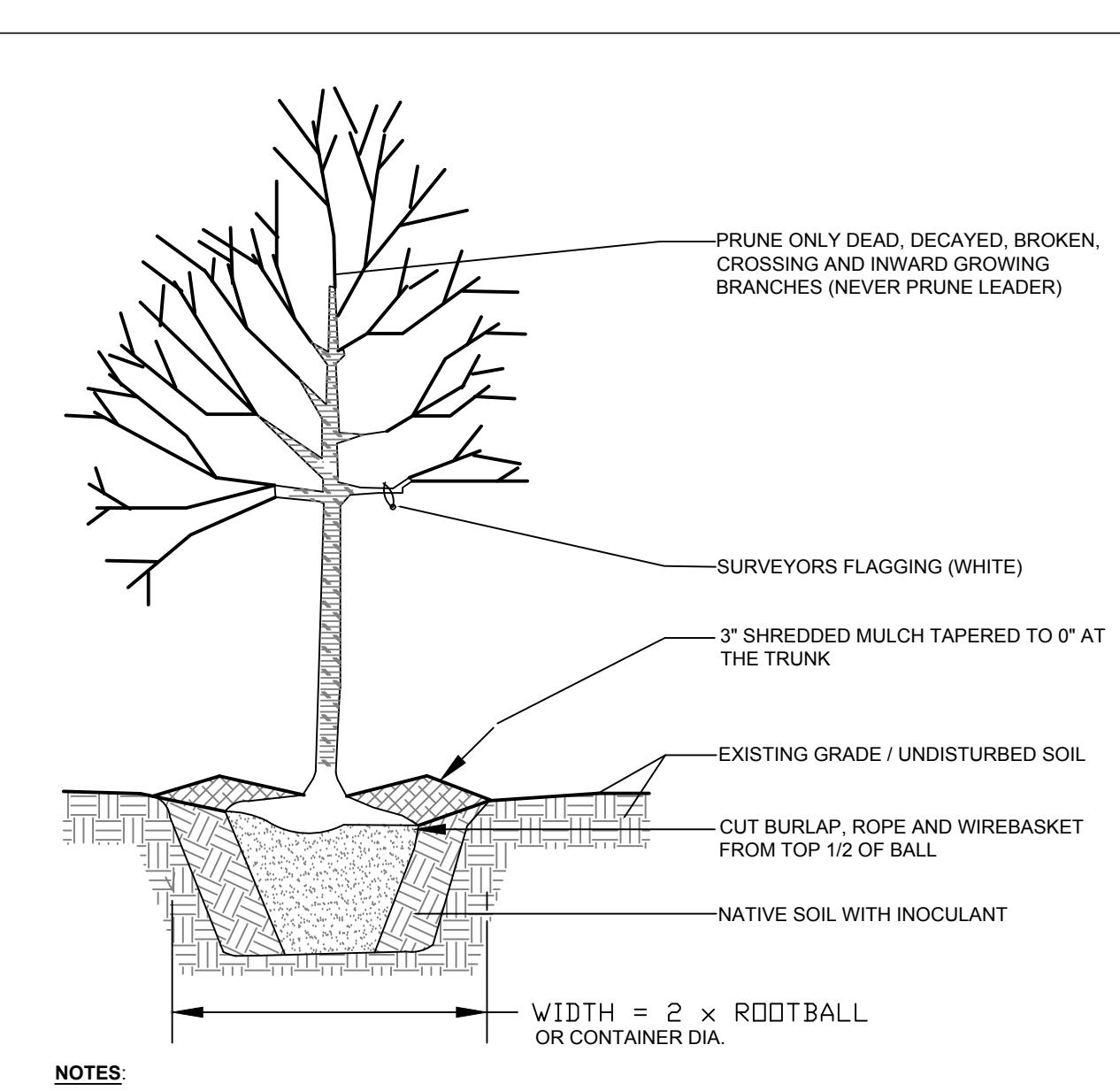
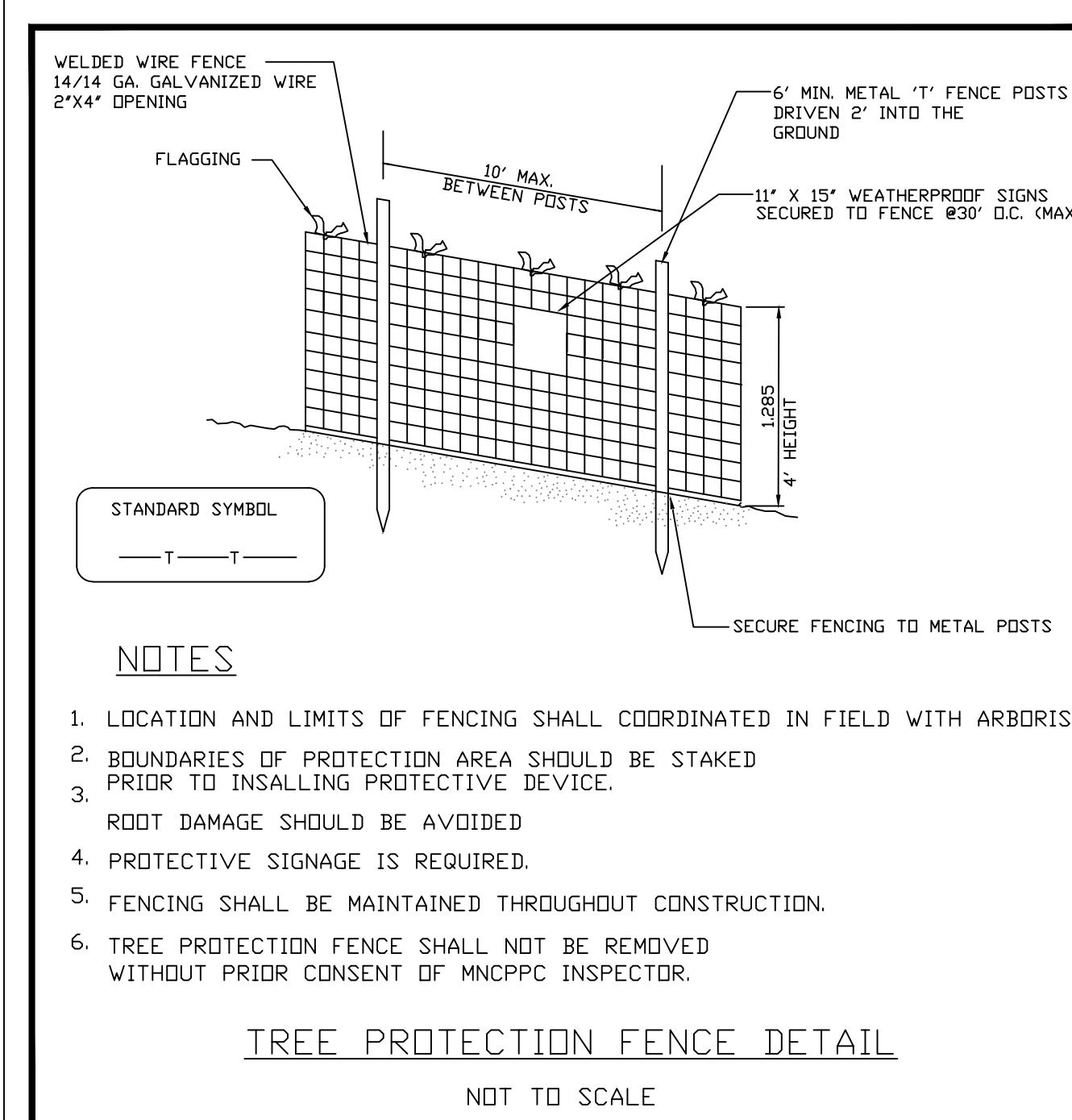
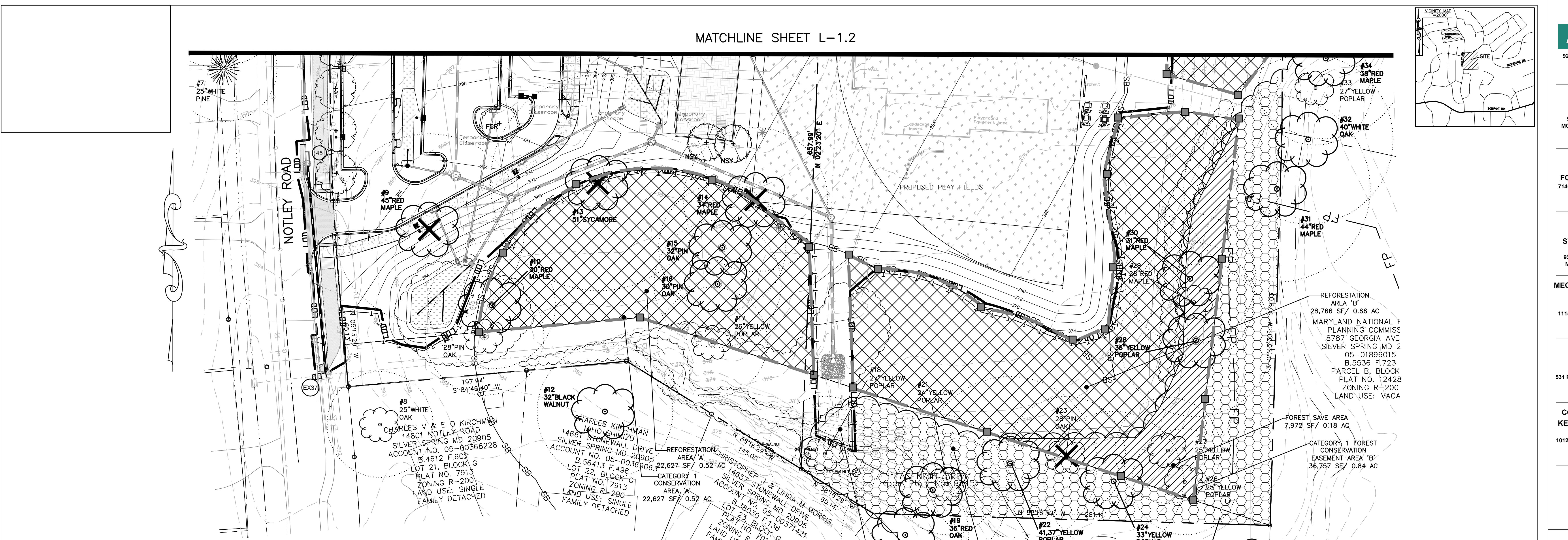
Signature: \_\_\_\_\_

**STONEGATE ELEMENTARY SCHOOL****MONTGOMERY COUNTY PUBLIC SCHOOLS**

SHEET TITLE:

**FINAL FOREST CONSERVATION PLAN**
 PROJECT NO: 20008  
 DATE: 6.25.2021  
 SCALE: AS SHOWN


## MATCHLINE SHEET L-1.2



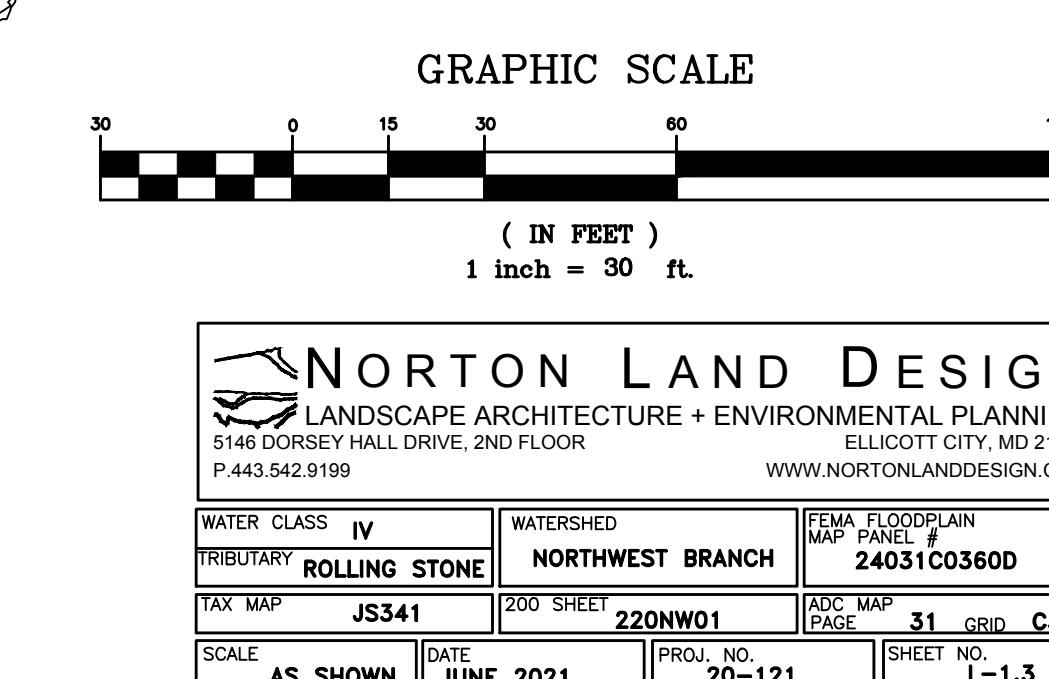
PLANTING SCHEDULE	
TASKS	MONTHS
TRANSPLANT OF 2" DBH OR GREATER	JAN FEB MAR APR MAY JUNE JULY AUG SEPT OCT NOV DEC
PLANTING, SEEDINGS, WHIPS	XXXXXX
MINIMUM MONITORING	*
FERTILIZER * (IF NEEDED)	*
WATER **	XXXXXX
PRUNING	

**KEY:**

- ACTIVITIES DURING THESE MONTHS ARE DEPENDENT UPON GROUND CONDITIONS
- GREATHLY RECOMMENDED
- RECOMMENDED WITH ADDITIONAL CARE
- RECOMMENDED
- DEPENDENT UPON SITE CONDITIONS
- DEPENDENT UPON SITE CONDITIONS: WEEKLY WATERING IS GREATLY RECOMMENDED
- NOTES: The planting and care of trees is most successful when coordinated with the local district conditions. This calendar summarizes some of the recommended time frames for basic reforestation and stress reduction activities.

**SITE PLANTING & REFORESTATION GENERAL NOTES**

- DRAWINGS ARE FOR TREE CONSERVATION AND REFORESTATION PURPOSES ONLY. AS-BUILT CONDITIONS MAY VARY. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND UTILITY LOCATIONS SHOWN AND DESCRIBED ON THE DRAWINGS, AND SHALL INFORM NORTON LAND DESIGN, TEL NO. 240-342-2329 OF ANY DISCREPANCIES OR POTENTIAL PROBLEMS PRIOR TO COMMENCING WORK.
- IN RESTORATION AREAS ALL BURNED DECIDUOUS TREES SHALL BE PLANTED WITH RANDOM SPACING 20.9' ON CENTER. SHRUBS AND CONTAINED GROWN EVERGREENS NOT IN PLANTING BEDS SHALL BE PLANTED IN RANDOM SPACING 33.0' ON CENTER.
- DO NOT PLANT TREES OR SHRUBS WITHIN 3'-0" OF THE CENTERLINE OF SWALES OR DITCHES.
- "MISS UTILITY" (1-800-257-7777) MUST BE CONTACTED A MINIMUM OF 48 HOURS PRIOR TO PROCEEDING WITH ANY EXCAVATION FOR PLANT MATERIAL INSTALLATION.
- NO PLANT MATERIAL SHALL BE PLANTED DIRECTLY IN FRONT OF ROADWAY SIGN SIGHT LINES.
- PLANT MATERIALS AND PLANTING MEASURES SHALL CONFORM WITH THE "LANDSCAPE SPECIFICATION GUIDELINES FOR THE BALTIMORE-WASHINGTON METROPOLITAN AREAS", LATEST EDITION.
- ALL PLANTS SHALL BE WATERED FOR A TWO YEAR PERIOD AS REQUIRED. THE CONTRACTOR SHALL PROVIDE SUFFICIENT MANPOWER AND EQUIPMENT TO COMPLETE THE WATERING AS REQUIRED.
- THE FOLLOWING LIST OF PLANTS SHALL BE PLANTED ONLY DURING THE SPRING PLANTING SEASON: ACER RUBRUM AND QUERCUS spp. (ALL OAK SPECIES).
- ALL EXISTING TRASH AND IMPERVIOUS AREAS SHOWN ON THE PLAN TO BE REMOVED MUST BE REMOVED AND ANY DISTURBED SOIL MUST BE STABILIZED AND SEDED. IT MAY BE NECESSARY TO SCARIFY AND/OR AERATE THE SOIL.
- PLANTS SHALL BE INSPECTED BY THE CONTRACTOR, AND ANY MATERIAL THAT IS EITHER DAMAGED OR WHICH HAS Root Ball Compaction, J-rooted or Kinked Root Systems WILL BE REPLACED. NO PLANTS WILL BE STORED ON SITE. PLANTS WILL BE PLANTED IMMEDIATELY ONCE RECEIVED FROM THE NURSERY.
- STOCK WILL BE PLANTED IN RANDOM ORDER TO REFLECT NATURAL GROWTH OF THE FOREST.
- PLANTING FIELD SHOULD BE 2X ROOT BALL DIAMETER. NATIVE SOIL MATERIAL WILL BE USED TO BACKFILL PLANT SITE AND AREA WILL BE PACKED TO REMOVE AIR POCKETS. RAKE SOIL EVENLY OVER THE PLANTING FIELD AND COVER HOLE WITH THREE INCHES OF MULCH. WATER TO SETTLE SOIL AND PROVIDE MOISTURE AS NEEDED.
- DEER PROTECTION MEASURES TO BE PROVIDED FOR ALL PLANTED TREES. SPECIFIC MEASURES TO BE DETERMINED AS PART OF THE PRE-PLANTING MEETING.



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

10.13.2021

MICHAEL A. NORTON  
MDNR / COMAR 08.19.06.01  
QUALIFIED PROFESSIONAL

**DEVELOPER'S CERTIFICATE**

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. MR2021035, including financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: MONTGOMERY COUNTY PUBLIC SCHOOLS  
Printed Company Name

Contact Person or Owner: GARY MOSEMAN  
DIRECTOR, DIVISION OF FACILITIES MANAGEMENT, MCPS  
Printed Name

Address: 45 WEST GUIDE DRIVE, SUITE 4300, ROCKVILLE, MD 20850

Phone and Email: Gary\_D.Moseman@mcpssmd.org

Signature:

ARCHITECT

**SEI** SMOLEN, EMR &  
ILKOVITCH ARCHITECTS  
9211 CORPORATE BLVD, SUITE 340  
ROCKVILLE, MD 20850  
301-770-1777(P) 301-330-3224(F)

**CIVIL**  
MACRIS, HENDRICKS &  
GLASCOCK, P.A.  
9220 WIGHTMAN RD, SUITE 120  
MONTGOMERY VILLAGE, MD 20886  
(301) 670-8840

**KITCHEN**  
NYIKOS-GARCIA  
FOODSERVICE DESIGN INC.  
7146 STARMOUNT WAY NEW MARKET,  
MD 21774  
(240) 683-9530

**STRUCTURAL**  
COMPREHENSIVE  
STRUCTURAL SOLUTIONS,  
LLC  
9220 WIGHTMAN ROAD, SUITE 120,  
MONTGOMERY VILLAGE, MD 20886  
(240) 200-5599

**MECH/ELECTRICAL/PLUMBING**  
JAMES POSEY  
ASSOCIATES INC.  
1115 RED RUN BLVD, OWINGS MILLS,  
MD 21117  
(410) 265-6100

**LEED**  
DOO CONSULTING  
531 PICCADILLY RD, TOWSON, MD 21204  
(443) 653-3792

**CONSTRUCTION MANAGER**  
KELLER CONSTRUCTION CO.  
1012 RISING RIDGE ROAD, MT. AIRY, MD  
21771  
(301) 607-9300

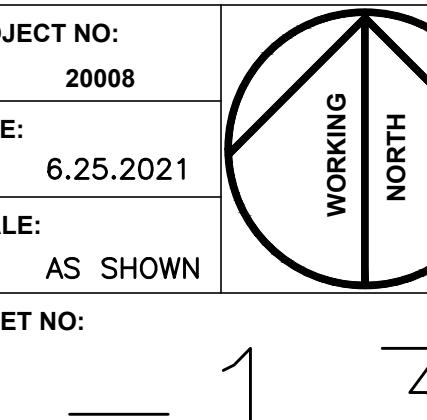
**PRINTS ISSUED**  
NO. DESCRIPTION DATE:  
1 DD PRICING SET 04/02/2021  
2 DD IAC SUBMISSION 04/30/2021  
3 BID SET 09/08/2021  
4 ADDENDUM #4 09/28/2021

**STONEGATE ELEMENTARY SCHOOL**

**MONTGOMERY COUNTY PUBLIC SCHOOLS**

**FINAL FOREST CONSERVATION PLAN**

Project No: 20008  
Date: 6.25.2021  
Scale: AS SHOWN  
Sheet No: 1.3





August 17, 2021

Revised October 13, 2021

Maryland National Capital Park and Planning Commission (M-NCPCC)  
2425 Reddie Drive,  
Wheaton, Maryland 20902

Re: Stonegate Elementary School  
Request for Specimen Tree Variance  
MR# - 2021035  
NRI# - 420211510  
Norton# 20-121

Dear Intake Division,

On behalf of the Montgomery County Public Schools and pursuant to Section 22A-21 *Variance provisions* of the Montgomery County Forest Conservation Ordinance and recent revisions to the State Forest Conservation Law enacted by S.B. 666, we are writing to request a variance(s) to allow impacts to or the removal of the following trees identified on the approved Natural Resource Inventory/Forest Stand Delineation for the above-named County construction project:

**Project Description:**

The proposed school is going to replace the existing Stonegate Elementary, located at 14811 Notley Road, in Silver Spring, Montgomery County, Maryland. This is a 10.27-acre site that is owned by the Montgomery County Board of Education. The site currently hosts an existing school, associated parking, athletic fields and play areas. The site is bordered by residential properties on the north, west, and south sides; and Park & Planning property to the east. The site has vehicle access from Notley Rd.

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

**Requirements for Justification of Variance:**

Section 22A-21(b) *Application requirements* states that the applicant must:

- (1) Describe the special conditions peculiar to the property or other conditions which would cause the unwarranted hardship;

- (2) Describe how enforcement of this Chapter will deprive the landowner of rights commonly enjoyed by others in similar areas;
- (3) Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance; and
- (4) Provide any other information appropriate to support the request.

**Justification of Variance:**

- (1) Describe the special conditions peculiar to the property or other conditions which would cause the unwarranted hardship;

**Response:** As part of the program, the task is to provide the community with an updated school facility that includes safe access to the school by way of updated vehicle circulation. The school must be large to handle growing student capacity. Stormwater management is designed to ensure environmental quality following the construction of the new building and parking areas.

This work will require disturbance of the root zones of a total of eleven (11) specimen trees. Eight (8) of the impacted trees will be required to be removed. Impact justification for each variance tree is provided in the "Tree Variance Table" below. The limits of disturbance has been designed to maximize tree survival.

If MCPS is not allowed to impact the trees, the school will not be able to be constructed due to the close proximity of specimen trees to the proposed school, proposed utilities, and site grading. As such, this would cause an *unwarranted hardship* to the community that it serves.

- (2) Describe how enforcement of this Chapter will deprive the landowner of rights commonly enjoyed by others in similar areas;

**Response:** If the County were required to keep all improvements outside the root zones of the specimen trees, the building, safe access drive aisles, stormwater facilities, and parking would fail to be built due to the close proximity of specimen trees.

- (3) Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance;

**Response:** Tree removals have been minimized by compact design of the layout ensuring the preservation of as many specimen trees as possible. In addition, this property will be developed in accordance with the latest Maryland Department of the Environment criteria for stormwater management. This includes Environmental Site Design to provide for protecting the natural resources to the Maximum Extent Practicable. This includes limiting the impervious areas and providing on-site stormwater management systems. A Stormwater Management Concept is currently under review by the Montgomery County Department of Permitting Services to ensure that this criterion is enforced. Additional

improvements to the property include control of erosion and outfall stabilization. Therefore, the proposed activity will not degrade the water quality of the downstream areas and will not result in *measurable degradation in water quality*.

- (4) Provide any other information appropriate to support the request.

**Response:** Specimen tree mitigation will be required due to removals. Additional canopy planting, in tandem with the site landscaping, will serve to create greater ecological quality onsite.

As further basis for its variance request, the applicant can demonstrate that it meets the Section 22A-21(d) *Minimum criteria*, which states that a variance must not be granted if granting the request:

- (1) Will confer on the applicant a special privilege that would be denied to other applicants;

**Response:** The proposed school is in conformance with the County's General plan. As such, this is not a *special privilege* to be conferred on the applicant.

- (2) Is based on conditions or circumstances which are the result of the actions by the applicant;

**Response:** Montgomery County Public Schools has taken no *actions leading to the conditions or circumstances* that are the subject of this variance request.

- (3) Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or

**Response:** The surrounding land uses do not have any inherent characteristics or conditions that have created or contributed to this particular need for a variance.

- (4) Will violate State water quality standards or cause measurable degradation in water quality.

**Response:** Granting this variance request will not violate State water quality standards or cause measurable degradation in water quality.

TREE VARIANCE TABLE												
Tree #	Species (Scientific Name)	Species (Common Name)	D.B.H (inches)	CRZ (SF)	IMPACT (%)	IMPACTS Condition	Tree Comments	Status	Variance	Mitigation	Impact Comments	
2	ACER RUBRUM	RED MAPLE	48	16286	6059	37	GOOD SPLIT @ 5'. OFFSITE	SAVE/PROTECT	YES	NO	PROPOSED DUMPSTER AND GENERATOR BOX	
3	QUERCUS RUBRA	RED OAK	30	6362	569	9	GOOD OFFSITE	SAVE/PROTECT	YES	NO	GRADING AND STORMWATER MANAGEMENT	
5	QUERCUS PALUSTRIS	PIN OAK	32	7238	7238	100	GOOD MINOR BROKEN BRANCHES	REMOVE	YES	YES	NEW DRIVE AISLE	
9	ACER RUBRUM	RED MAPLE	45	14314	14314	100	GOOD	REMOVE	YES	YES	GRADING AND NEW DRIVE AISLE	
10	ACER RUBRUM	RED MAPLE	30	6362	1619	25	FAIR LEANING, BROKEN BRANCHES	SAVE/PROTECT	YES	NO	GRADING AND STORMWATER MANAGEMENT	
13	PLATANUS OCCIDENTALIS	SYCAMORE	51	18385	9831	53	GOOD MINOR BROKEN BRANCHES, KNOBS IN TRUNK	REMOVE	YES	YES	GRADING AND NEW DRIVE AISLE	
14	ACER RUBRUM	RED MAPLE	34	8171	8171	100	FAIR BROKEN BRANCHES, SPLIT @ 5'	REMOVE	YES	YES	UTILITIES AND NEW PLAY AREA	
15	QUERCUS PALUSTRIS	PIN OAK	32	7238	149	2	FAIR SLIGHT LEAN, BROKEN BRANCHES.	SAVE/PROTECT	YES	NO	UTILITIES AND NEW PLAY AREA	
45	PINUS STROBOS	WHITE PINE	33	7698	2866	37	FAIR THINNED CANOPY	REMOVE	YES	YES	STORMWATER MANAGEMENT	
48	QUERCUS PALUSTRIS	PIN OAK	38	10207	10207	100	FAIR MANY BROKEN BRANCHES	REMOVE	YES	YES	STORMWATER MANAGEMENT	
49	PINUS STROBOS	WHITE PINE	30	6362	6362	100	FAIR THINNED CANOPY	REMOVE	YES	YES	NEW PLAY AREA AND STORMWATER MANAGEMENT	

**Conclusion:**

For the above reasons, the applicant respectfully requests that the Planning Board APPROVE its request for a variance from the provisions of Section 22A of the Montgomery County Forest Conservation Ordinance, and thereby, GRANTS permission to impact/remove the specimen trees in order to allow the construction of this vital project.

The recommendations in this report are based on tree conditions noted at the time the NRI/FSD field work was conducted. Tree condition can be influenced by many environmental factors, such as wind, ice and heavy snow, drought conditions, heavy rainfall, rapid or prolonged freezing temperatures, and insect/disease infestation. Therefore, tree conditions are subject to change without notice.

The site plans and plotting of tree locations were furnished for the purpose of creating a detailed Tree Protection Plan. All information is true and accurate to the best of my knowledge and experience. All conclusions are based on professional opinion and were not influenced by any other party.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Norton".

Michael Norton