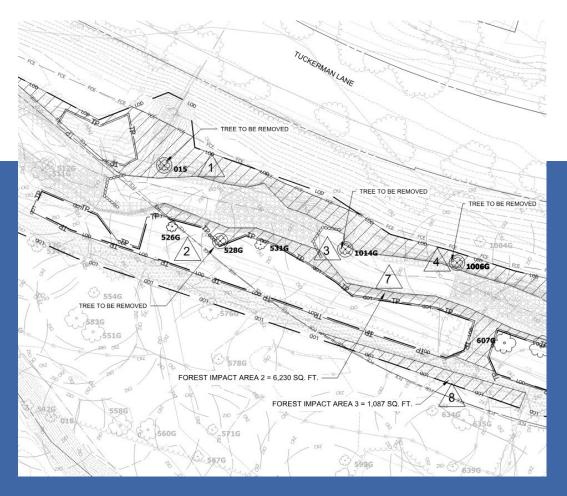
™ Montgomery Planning

GROSVENOR/LUXMANOR TRIBUTARY STREAM RESTORATION SITE PLAN AMENDMENT NO. 81996023A



Description

Request to amend Site Plan No. 819960230, "Tuckerman Heights," to permit disturbance of a Category I Forest Conservation Easement in association with stream restoration work.

No. 81996023A Completed: 5-05-2022 MCPB Item No. 5-19-2022 Montgomery County Planning Board 2425 Reedie Drive, Floor 14 Wheaton, MD 20902

Planning Staff

EBB

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LOCATION/ADDRESS

South of Tuckerman Lane, approximately 1,050 feet west of Rockville Pike (MD 355)

MASTER PLAN

North Bethesda/Garrett Park Master Plan

ZONE

R-90/TDR 9

PROPERTY SIZE

2.75 acres

APPLICANT

Montgomery County Department of Environmental Protection

ACCEPTANCE DATE

March 2, 2022

REVIEW BASIS

Forest Conservation Chapter 22A



- Staff recommends approval of the Site Plan Amendment.
- The Final Forest Conservation Plan Amendment proposes to disturb 0.78 acres within the Category I Easement, including 0.40 acres of forest within the Limits of Disturbance (LOD). The area within the LOD will be reforested upon completion of the stream restoration work, and the Category I Fasement will not be removed.
- The Amendment includes a variance request to impact eleven (11) trees that are 30 inches or greater DBH and are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law. Of the eleven (11) impacted trees, the Applicant requests permission to remove five (5) trees and save six (6) of these eleven (11) trees.

SECTION 1: RECOMMENDATIONS AND CONDITIONS

Staff recommends approval of Site Plan Amendment No. 81996023A for purposes of amending the Final Forest Conservation Plan associated with the Grosvenor/Luxmanor Stream Restoration Project. All site development elements shown on the latest electronic version of the Site Plan Amendment as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions. Except as amended by the revised and additional conditions below, the conditions approved under Site Plan No. 819960230 remain valid and in full force and effect.

REVISED CONDITIONS

- 2. A final Tree Protection Plan including special protection measures needed to reduce the impacts to the targeted individual trees to be saved along the Property boundary shall be submitted by the Applicant and approved by the Maryland-National Capital Park and Planning Commission staff prior to approval of the signature set of the Site Plan. This plan shall also detail the methods of tree protection and sequence of construction for installation of the retaining wall behind Lots 8-12 and for the driveway of Lot 17. These tree protection measure apply only to the Property north of Tuckerman Lane. Tree protection measures for the Grosvenor/Luxmanor Stream Restoration Project south of Tuckerman Lane are specified on the Amended Final Forest Conservation Plan 81996023A.
- 3. Tree protection fence around the forest retention areas <u>on the portion of the Property north of Tuckerman Lane</u>, especially adjacent to Lot 17, shall be a chain link fence buried 18" in the ground or super silt fence. <u>Tree protection measures for the Grosvenor/Luxmanor Stream Restoration Project south of Tuckerman Lane are specified on the Amended Final Forest Conservation Plan 81996023A.</u>

NEW CONDITIONS

- 6. 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.
- 7. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan ("FFCP"). Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
- 8. Prior to the initial planting acceptance inspection by the M-NCPPC Forest Conservation Inspection Staff, the Applicant must install permanent conservation easement signage along the perimeter of the conservation easements as shown on the FFCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
- 9. Prior to any demolition, clearing, grading or construction for this development Application, whichever comes first, the Applicant must execute a five-year Maintenance and Management Agreement ("MMA") in a form approved by the M-NCPPC Office of General Counsel. The MMA is required for all forest planting areas, mitigation tree plantings, including variance tree mitigation plantings, and landscape plantings credited toward meeting the requirements of the FFCP. The MMA includes invasive species management control measures. All proposed measures should be chosen with consideration of the proximity to the on-site stream and

- wetlands and the sensitive nature of this watershed. The use of herbicides should be avoided where possible.
- 10. The Applicant must install the Afforestation/Reforestation plantings, as shown on the approved FFCP, in the first planting season following stabilization of the applicable disturbed area.
- 11. 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.
- 12. Prior to Certified FFCP, please add the developer's signature block to sheets 7, 8, 9, 10, and 11, and add the M-NCPPC signature block to sheets 10 and 11.

SECTION 2: SITE DESCRIPTION

SITE LOCATION & DESCRIPTION

The Subject Property is located immediately south of Tuckerman Lane, approximately 1,050 feet west of Rockville Pike (MD 355) in the *North Bethesda/Garrett Park Master Plan* area (Figure 1). The Property is owned by the Tuckerman Heights Homeowners Association, and is identified as Parcel D, "Tuckerman Heights," as shown on Plat #20751, Liber 17517 at Folio 9 in the County land records. The Application includes a letter authorizing the Montgomery County Department of Environmental Protection to submit plans and Applications for the Grosvenor/Luxmanor Stream Restoration Project on the Property. The letter is signed by the President of the Tuckerman Heights Homeowners Association.

The Subject Property, Parcel D "Tuckerman Heights" is a 2.28-acre Category I Forest Conservation Easement that forms a largely forested open space area owned by the Tuckerman Heights Homeowners Association (Figure 2). The total area of the open space parcel is approximately 2.75 acres. The net tract area of the Final Forest Conservation Plan Amendment within this open space parcel, as determined by the area within the Limits of Disturbance, is 0.78 acres.

The forested open space contains the Grosvenor/Luxmanor stream tributary of Rock Creek and its associated stream buffer, as well as wetlands and wetland buffers. The staff report for the original Site Plan (No. 819960230) noted that the streambanks were severely eroded at the time of the Site Plan approval. The Statement of Justification for this project notes that Montgomery County's MS4 permit requires the Montgomery County Department of Environmental Protection (DEP) to restore impervious surface areas that are not currently treated to the Maximum Extent Practicable (MEP), including restoring degraded stream channels. Due to the degraded conditions in this portion of the Grosvenor/Luxmanor stream channel, this stream has been identified for stream restoration to help fulfill MS4 permit requirements.



Figure 1. Site vicinity



Figure 2. Site detail

SECTION 3: PROJECT HISTORY & PROPOSAL

Previous Approvals

The original Site Plan and associated Final Forest Conservation Plan (No. 819960230) were approved for construction of the Tuckerman Heights single-family attached housing development across Tuckerman Lane to the north of the Category I Forest Conservation Easement. The Category I Easement was recorded to protect the forested stream buffer along the Grosvenor/Luxmanor Branch stream.

Proposal

The Final Forest Conservation Plan is being amended to allow disturbance within the previously recorded Category I Easement for stream restoration work being done by the Montgomery County Department of Environmental Protection. The Final Forest Conservation Plan Amendment proposes to disturb 0.78 acres within the Category I Easement, including 0.40 acres of forest within the Limits of Disturbance (LOD). This area is considered cleared under the Forest Conservation Law and Regulations, although not all of the trees within the LOD will be removed. The area within the LOD will be reforested upon completion of the stream restoration work, and the Category I Easement will not be removed as a result of the Subject Application. The Application includes a variance request to impact eleven (11) trees that are 30 inches or greater DBH, that are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law. Of the eleven (11) trees being impacted, variance permission is being requested to remove five (5) trees and save six (6) of these eleven (11) trees. An expanded explanation of the Final Forest Conservation Plan Amendment is provided in Section 4 of this Staff report.

SECTION 4: FINDINGS AND ANALYSIS - SITE PLAN NO. 81996023A

The Planning Board found that Site Plan No. 819960230 was consistent with Preliminary Plan No. 119960910, met the requirements of the R-90/ TDR-9 Zone; satisfied Forest Conservation and complied with other applicable regulatory requirements (Attachment A). The Planning Board further determined that the Project was compatible with other uses and other site plans when considering existing and proposed adjacent development.

The Amendment complies with the general requirements and development standards of the Zoning Ordinance, Subdivision Regulations and substantially conforms with the goals and recommendations of the 1992 North Bethesda/Garrett Park Master Plan. The elements of the proposed Site Plan Amendment No. 81996023A remain consistent with the original findings, except finding 7, which is modified below to permit disturbance of a Category I Forest Conservation Easement in association with stream restoration work.

7. All Forest Conservation Law, Chapter 22A requirements are satisfied.

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan. Included with the Forest Conservation Plan Amendment is a request for a tree variance for impacts and removal of subject trees. The Site Plan Amendment complies with the Montgomery County Environmental Guidelines and the Forest Conservation Law, as conditioned in the Staff Report and described below.

a. Natural Resource Inventory/Forest Stand Delineation

Natural Resource Inventory/Forest Stand Delineation ("NRI/FSD") No. 420201490 was approved for this Property on April 21, 2020. The NRI/FSD documents that the Property is located within the Lower Rock Creek watershed, which is classified as Use Class I-P by the State of Maryland. The Subject Property is forested and contains several trees with a diameter breast height ("DBH") of 30 inches or more. The area includes stream buffers, wetlands, and 100-year floodplains. There are no recorded occurrences of rare, threatened, or endangered species, and no historic resources or cemeteries are known to exist on the Property.

b. Forest Conservation Plan

The Applicant has submitted a Final Forest Conservation Plan ("FCP") Amendment (Attachment B) that satisfies the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's approved Environmental Guidelines.

The Subject Property is zoned R-30 and is assigned a Land Use Category of High Density Residential ("HDR") as defined in Section 22A-3 of the Montgomery County Forest Conservation Law ("FCL") and in the Land Use Table of the *Trees Technical Manual*. This results in an afforestation threshold of 15% and a conservation threshold of 20% of the Net Tract Area.

The tract area for forest conservation purposes includes the area within the Limits of Disturbance, and totals 0.78 acres. There is a total of 0.40 acres of existing forest on the Subject Property. For purposes

of the Forest Conservation Law, all 0.40 acres within the Limits of Disturbance are counted as cleared, although not all trees within the forested area will be removed. The proposed forest clearing generates a reforestation requirement of 0.37 acres. The Applicant proposes to meet the planting requirement on-site by reforesting the entire 0.78-acre LOD. All of the retained and planted forest will continue to be protected in a Category I Conservation Easement.

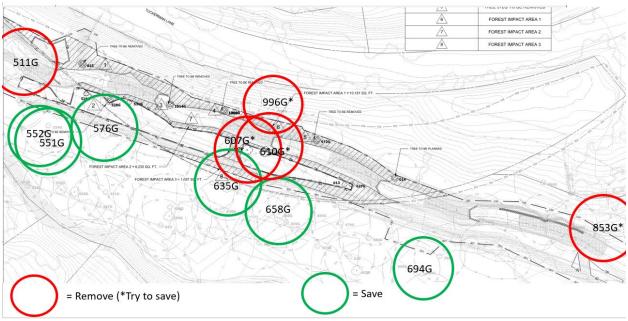


Figure 3 – Tree Variance Request Exhibit

Forest Conservation Variance

Section 22A-12(b)(3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection ("Protected Trees"). Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone ("CRZ") requires a variance under Section 22A-12(b)(3) ("Variance"). Otherwise, such resources must be left in an undisturbed condition. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. The law requires no impact to trees that: measure 30 inches or greater DBH; are part of an historic site or designated with an historic structure; are designated as a national, State, or County champion tree; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species.

<u>Variance Request</u> - The Applicant submitted a variance request in a letter dated March 29, 2022 (Attachment C). The Applicant proposes to impact eleven (11) trees that are 30 inches or greater DBH, that are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law (Tables 1 & 2). Of the eleven (11) trees being impacted, variance permission is being requested to remove five (5) trees and save six (6) of these eleven (11) trees (Figure 3). The variance request notes that efforts will be made to save four out of the five trees requested for removal. The

variance permission for removal is being sought now in case removal is deemed necessary by the forest inspector or certified arborist at the time of construction.

Table 1 - Protected Trees to be impacted but saved

Tree	Species	DBH	% CRZ	Status and Notes
Number	_	Inches	Impacts	
551G	Tuliptree		-	This tree is located outside of the LOD
	(Liriodendron			but the CRZ is within a proposed
	tulipifera)	32"	<1%	access path. Due to the need to
		32	~1 %0	provide adequate access to the
				stream channel for restoration, these
				CRZ impacts cannot be avoided.
552G	Tuliptree			This tree is located outside of the LOD
	(Liriodendron			but the CRZ is within a proposed
	tulipifera)	30.5"	3%	access path. Due to the need to
		30.3	370	provide adequate access to the
				stream channel for restoration, these
				CRZ impacts cannot be avoided.
576G	American beech			This tree is located outside of the LOD
	(Fagus			but the CRZ is within a proposed
	grandifolia)	35.5"	21%	access path. Due to the need to
		33.3	2170	provide adequate access to the
				stream channel for restoration, these
				CRZ impacts cannot be avoided.
635G	American beech			This tree is located outside of the LOD
	(Fagus			but the CRZ is within a proposed
	grandifolia)	31.5"	21%	access path. Due to the need to
		31.3	21/0	provide adequate access to the
				stream channel for restoration, these
				CRZ impacts cannot be avoided.
658G	Tuliptree			This tree is located outside of the LOD
	(Liriodendron			but the CRZ is within a proposed
	tulipifera)	32.5"	7%	access path. Due to the need to
		32.3	1 70	provide adequate access to the
				stream channel for restoration, these
				CRZ impacts cannot be avoided.
694G	Tuliptree			This tree is located outside of the LOD
	(Liriodendron			but the CRZ is within a staging area.
	tulipifera)	30"	10%	Due to the need to provide adequate
			1370	space for construction activities for
				the stream restoration, these CRZ
				impacts cannot be avoided.

Table 2 - Protected Trees to be removed

Tree	Species	DBH	% CRZ	Status and Notes
Number		Inches	Impacts	
511G	Tuliptree (<i>Liriodendron</i> tulipifera)	30"	92%	Tree is located within the LOD and on the stream bank where grading is proposed. Due to the need to stabilize the stream to accomplish the project goals, removal of this tree cannot be avoided.
607G	Tuliptree (<i>Liriodendron</i> tulipifera)	30"	67%	Save if possible. This tree is located just outside of the LOD but the CRZ is within a proposed access path. Due to the need to provide adequate access to the stream channel for restoration, these CRZ impacts cannot be avoided.
610G	Northern red oak (Quercus rubra)	32"	70%	Save if possible. This tree is located just outside of the LOD but on the stream bank and the CRZ is within a proposed access path. Due to the need to provide adequate access to the stream channel for restoration, these CRZ impacts cannot be avoided.
853G	American beech (Fagus grandifolia)	32"	43%	Save if possible. This tree is located outside of the LOD, but the CRZ is along the stream bank where grading is proposed. Due to the need to stabilize the stream bank to accomplish the project goals, these impacts cannot be avoided.
996G	Northern red oak (Quercus rubra)	30.5"	30%	Save if possible. This tree is located outside of the LOD, but the CRZ is along the stream bank where grading is proposed. Due to the need to stabilize the stream bank to accomplish the project goals, these impacts cannot be avoided.

Unwarranted Hardship Basis

Per Section 22A-21, a variance may only be considered if the Planning Board finds that leaving the requested trees in an undisturbed state would result in unwarranted hardship, denying the Applicant reasonable and significant use of its property. In this case, the unwarranted hardship is caused by the fixed location of the stream and the trees surrounding it, and the project goal to restore the streambanks to reduce erosion and sedimentation, and to restore stream function. This requires both creating an access route to get the necessary equipment to the stream restoration site, and the need to grade some streambanks back to reduce erosion and restore function. Two (2) of the trees for which removal permission is sought are heavily impacted by the access route. Three (3) of the trees for which removal permission is sought are on areas of the streambanks which will be graded to accomplish the objectives of the stream restoration. The stream restoration cannot be accomplished without impacting these trees, and the stream restoration is being planned and implemented in order to reduce erosion and sediment pollution in response to MS4 permit requirements. Therefore, there is a sufficient unwarranted hardship to justify a variance request.

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, in order for a variance to be granted. Staff has made the following determinations in the review of the variance request and the proposed Forest Conservation Plan:

Variance Findings

Staff has made the following determination based on the required findings that granting of the requested variance:

- 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 removal and disturbance to the specified trees are due to the project objectives to reduce sediment pollution, the fixed location of the stream that is to be restored, and the location of the trees around the stream. The Applicant has worked with the County Arborist to minimize removals of, and impacts to, variance trees. Granting a variance to allow disturbance and meet the objectives of the stream restoration project is not unique to this Applicant. The granting of this variance is not a special privilege that would be denied to other applicants.
- 2. Is not based on conditions or circumstances which are the result of the actions by the applicant. The requested variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon the existing site conditions and necessary design requirements of this project.
- 3. Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.
 - The requested variance is a result of the existing conditions and the proposed project design, not as a result of land or building use on a neighboring property.
- 4. Will not violate State water quality standards or cause measurable degradation in water quality. In this case, the purpose of the project is to remediate degraded water quality. The trees are within a forest that will be replanted upon completion of the project. These trees will replace

water quality functions that may be lost by the removed trees. Therefore, Staff concurs that the Application will not violate State water quality standards or cause measurable degradation in water quality. In time, between the stream restoration and the forest replanting, water quality should ultimately be improved over current conditions.

Mitigation for Trees Subject to the Variance Provision

No mitigation is required for trees that are impacted but retained. Retained trees will continue to provide water quality functions as before. It has been M-NCPPC policy not to require mitigation for Protected Trees removed within forest stands since the removal of the forest is accounted for through the Forest Conservation Worksheet, and all disturbed forest will be replanted. As conditioned, the replanted forest will be protected as part of a 5-year maintenance and management agreement.

Variance Recommendation

Staff recommends approval of the variance request.

SECTION 5: COMMUNITY CORRESPONDENCE

The Applicant has complied with all submittal and noticing requirements, and Staff has not received correspondence from community groups or citizens as of the date of this report.

SECTION 6: 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 Site Plan Amendment to amend the Forest Conservation Plan with conditions as cited in this Staff Report.

ATTACHMENTS:

Attachment A – MCPB Site Plan Resolution No. 819960230

Attachment B - Amended Final Forest Conservation Plan

Attachment C – Variance Request

Date of Mailing: December 5, 1996



ATTACHMENT A



MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

MONTGOMERY COUNTY PLANNING BOARD OPINION

Site Plan Review: No. 8-96023 Project: Tuckerman Heights

Date of Hearing: September 12, 1996

<u>Action</u>: APPROVAL SUBJECT TO CONDITIONS. (Motion was made by Commissioner Aron; seconded by Commissioner Richardson; with a vote of 4-1, Commissioners Aron, Holmes, Richardson and Hussmann voting for and Commissioner Baptiste voting against.)

The date of this written opinion is December 5, 1996, (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before January 5, 1997.

On April 19, 1996, Kay Enterprises, Ltd. (the "Applicant") submitted an application for the approval of a site plan for property in the R-90/TDR-9 and R-30 zones. The application was designated Site Plan Review No. 8-96023.

On September 12, 1996, the Site Plan was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Board heard testimony and received evidence submitted in the record on the application for the Site Plan. On this same date, the Planning Board also considered the Applicant's jointly filed Preliminary Plan application for the site, designated as Preliminary Plan No. 1-96091.

INTRODUCTION

The entirety of the project ("Subject Property" or "Property") consists of 7.45 acres, divided by Tuckerman Lane. The northern parcel - the development portion of the site - is 4.75 acres and zoned R-90/TDR-9. The 2.70-acre southern parcel of the Subject Property is zoned R-30 and abuts open space and the Grosvenor Park townhouse development. This portion of the site includes a 35-foot wide right-of-way dedication for future use as a transitway. The Subject Property is bounded on the north and northeast by the Georgetown Preparatory School Property ("School Site"), zoned

R-90, and Tuckerman Station subdivision on the west. Tuckerman Station is a townhome development developed under the PD-9 Zone. The Grosvenor Park townhome development (zoned R-30) is located to the south, and high-rise residential development (zoned R-10) is located to the southeast across Grosvenor Lane.

Luxmanor Branch flows from west to east through the southern section of the Property. The north side of the Property is bisected by a major drainage channel which joins Luxmanor Branch through a culvert under the road. Staff testimony indicated that while perhaps at one time this drainage channel was a stream, it appears now to only carry stormwater runoff, with resulting severe erosion to the channel banks.

The Property is partially forested, and contains numerous large trees including many that are greater or equal to 24 inches. The site also includes several specimen size trees.

SITE PLAN DEVELOPMENT FEATURES

The Applicant proposes 37 one-family attached units (garage townhome style) and associated recreation facilities. All of the proposed dwelling units and facilities will be located on the 4.75-acre northern portion of the Property, which will be accessed from one entrance off of Tuckerman Lane. The southern portion will remain undeveloped as a Homeowner's Association ("HOA") open space parcel. The concurrently filed and reviewed Preliminary Plan No. 1-96091 also includes dedication of a 35-foot-wide right-of-way for the future North Bethesda Transitway on the southern portion of the Property.

As part of the Preliminary Plan submittal, the Applicant requested the Planning Board to waive the 100-foot setback requirement as set forth in Section 59-C-7.15(b)(1) of the Montgomery County Zoning Ordinance, which provides that no building can be constructed within 100 feet of property which the area Master Plan recommends single-family detached zoning. The School Property is zoned R-90 (a one-family residential zone), and the Applicant proposed townhome setbacks ranging from 30 to 68 feet. Section 59-C-1.394(c) allows the Board to waive the setback requirements if it finds that the immediately adjoining property is recommended for institutional use on the approved and adopted Master Plan and the immediately adjoining property will not be adversely affected by the waiver for present or future use. Staff recommended approval of this waiver request because the Master Plan recommends the adjoining School Property for continued institutional use. Staff believed the adjoining property would not be adversely affected by the waiver for present or future use, and that finding is incorporated into the Board's Site Plan findings. Staff recommended that this setback is compatible with the adjacent School Site.

The existing site zoning allows a base density of 17 units. The Master Plan allows use of Transferable Development Rights ("TDR") to increase the site's density, and the Applicant proposes use of an additional 20 units to reach a project total of 37 units. In the Preliminary Plan application, the Applicant asked the Planning Board to waive a Zoning Ordinance requirement that mandates at least 15% of the total number of proposed dwelling units must be one-family detached units (all of

the dwelling units in the Applicant's Preliminary Plan are one-family attached units) to enhance compatibility with the adjacent properties.¹ The Board waived this 15% requirement based upon a finding that the proposed development is more desirable for environmental reasons or is more compatible with adjacent development than that which would result from adherence to the 15% requirement. Staff recommended approval of this waiver based on the density recommended in the Master Plan and the compatibility of the proposed townhouses with the existing townhouses, multi-family developments and institutional uses in the surrounding area.²

The requisite Forest Conservation Plan shows retention of the two-acre forested portion of the Property south of Tuckerman Lane, an additional 0.9 acres elsewhere, and a replanting of approximately 0.5 acres on-site. Approximately 0.2 acres will be afforested off-site. In addition, due to the high quality and large size of the trees on the northern parcel, the area along the drainage channel as well as the contiguous northeastern corner have been identified as tree save areas. Around the perimeter of the Property, the Applicant will provide a 10-foot no-disturb area from identified trees.

The Applicant proposed a multi-age play and picnic/sitting area on the northern portion of the Property. A proposed pathway system will connect to an existing bike path to the west along Tuckerman Lane, and to an existing 9-foot wide asphalt path along the east property line of Tuckerman Station.

Access to the northern portion of the Property will be from one driveway entrance off of Tuckerman Lane.

FINDINGS

Based upon the testimony, evidence and the contents of the public record and file in this matter, including the Staff Report dated September 6, 1996, the Planning Board, as to Site Plan No. 8-96023, finds that:

- 1. The Site Plan is in conformance with the simultaneously approved Preliminary Plan No. 1-96091 for the Property.
- 2. The Site Plan meets all of the requirements of the R-90/TDR-9 Zone in which it is located, subject to the waivers granted in Preliminary Plan 1-96091.

¹ MONT. CO. CODE CHAPTER 59-C-1.395.

² MONT. CO. CODE CHAPTER 59-C-1.395.

- 3. The School Property, although zoned R-90, is recommended for institutional use in the approved and adopted North Bethesda/Garrett Park Master Plan, and will not be adversely affected for present or future use by the granting of a waiver to allow the Applicant to place townhouses 30 feet from the joint Property line.
- 4. The use of all townhouse units on the Property is more compatible with the adjacent and surrounding townhouses, multi-family development and institutional uses than adhering to the 15% requirement for single-family detached houses.
- 5. The locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient.
- 6. The Site Plan is in conformance with the land use, zoning, TDR and transitway recommendations of the 1992 North Bethesda/Garrett Park Master Plan.
- 7. The Site Plan meets all applicable requirements of Chapter 22A regarding Forest Conservation.
- 8. Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.
- 9. The Board waives the Zoning Ordinance requirement that setbacks equal building height, based on a finding that the resulting development is compatible with the surrounding uses, both existing and proposed.

The Planning Board Approves Site Plan No. 8-96028 which consists of 37 garage townhouses with the following conditions:

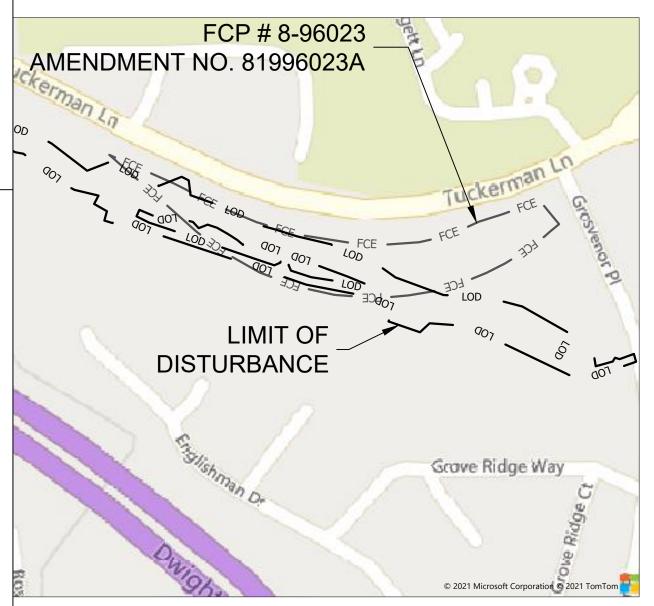
- (1) Standard Conditions dated October 10, 1995, Appendix A to Planning Board Staff Report dated September 6, 1996 and included as part of the public record for Site Plan No. 8-96023.
- (2) A final Tree Protection Plan including special protection measures needed to reduce the impacts to the targeted individual trees to be saved along the Property boundary shall be submitted by the Applicant and approved by The Maryland-National Capital Park and Planning Commission staff prior to approval of the signature set of the Site Plan. This plan shall also detail the methods of tree protection and sequence of construction for installation of the retaining wall behind Lots 8-12 and for the driveway of Lot 17.
- (3) Tree protection fence around the forest retention areas, especially adjacent to Lot 17, shall be a chain link fence buried 18" in the ground or super silt fence.

- (4) The Site Plan shall show additional right-of-way dedication or an easement along Tuckerman Lane to accommodate the existing guardrail along the roadway per the Montgomery County Department of Public Works and Transportation requirements.
- (5) The Site Plan shall show a 10-foot-wide public utility easement along the Tuckerman Lane frontage and locations of the transformers in accordance with PEPCO requirements.

g:\8-96023.pbo

GROSVENOR-LUXMANOR STREAM RESTORATION

M-NCPPC FILE NUMBER: 81996023A FOREST CONSERVATION PLAN AMENDMENT



LOCATION	MAF
1" = 200)'

FCP#	8-96023 AMENDMENT CHANGES
CHANGE NO.	DESCRIPTION
1	TREE 015 TO BE REMOVED
2	TREE 528G TO BE REMOVED
3	TREE 1014G TO BE REMOVED
4	TREE 1006G TO BE REMOVED
5	TREE 972 TO BE REMOVED
6	FOREST IMPACT AREA 1
7	FOREST IMPACT AREA 2
8	FOREST IMPACT AREA 3

SAVE*	013	Tuliptree	Liriodendron tulipifera	24.5	Good	Originally tagged as 625G
SAVE*	014	Bitternut hickory	Carya cordiformis	24	Good	Originally tagged as 938G
REMOVE	015	Northern red oak	Quercus rubra	24	Fair	Reduced canopy, dead limbs, leaning, Originally tagged as 1045G
SAVE	018	American beech	Fagus grandifolia	25	Fair	Broken leader
SAVE	019	Tuliptree	Liriodendron tulipifera	25	Good	
SAVE	020	Tuliptree	Liriodendron tulipifera	24	Fair	Reduced crown
REMOVE	511G	Tuliptree	Liriodendron tulipifera	30	Fair	Undermined
REMOVE	512G	American sycamore	Platanus occidentalis	25.5	Fair	Undermined
SAVE*	526G	Northern red oak	Quercus rubra	29	Good	
REMOVE	528G	Green ash	Fraxinus pennsylvanica	25	Poor	Emerald ash borer, dying/possibly dead
SAVE*	531G	American beech	Fagus grandifolia	27.5	Good	
SAVE	533G	American sycamore	Platanus occidentalis	26	Good	
SAVE	534G	American sycamore	Platanus occidentalis	25	Good	Broken limbs
SAVE	542G	American beech	Fagus grandifolia	24	Good	
SAVE	551G	Tuliptree	Liriodendron tulipifera	32	Fair	Dead limbs/leader
SAVE	552G	Tuliptree	Liriodendron tulipifera	30.5	Fair	Reduced crown
AVE	554G	Tuliptree	Liriodendron tulipifera	26.5	Good	
AVE	558G	Tuliptree	Liriodendron tulipifera	37	Fair	Few dead limbs
SAVE	560G	Tuliptree	Liriodendron tulipifera	34, 22.5	Fair	Few dead limbs, reduced canopy
SAVE	567G	Red maple	Acer rubrum	29.5	Poor	Dead limbs, reduced crown
SAVE	571G	American beech	Fagus grandifolia	26.5	Good	Few dead branches
SAVE	576G	American beech	Fagus grandifolia	35.5	Poor	Trunk rot, dead leader
SAVE	578G	American beech	Fagus grandifolia	27	Good	
SAVE	593G	Tuliptree	Liriodendron tulipifera	26.5	Good	
SAVE	594G	American beech	Fagus grandifolia	41	Good	Broken leader
AVE*	607G	Tuliptree	Liriodendron tulipifera	30	Good	
SAVE*	610G	Northern red oak	Quercus rubra	32	Good	Undermined
SAVE*	627G	Tuliptree	Liriodendron tulipifera	25.5	Good	
SAVE	634G	Tuliptree	Liriodendron tulipifera	26.5	Fair	Dead leader
SAVE	635G	American beech	Fagus grandifolia	31.5	Poor	Trunk rot and dead leader
SAVE	639G	Tuliptree	Liriodendron tulipifera	29, 21.5	Good	
SAVE	658G	Tuliptree	Liriodendron tulipifera	32.5	Fair	Few dead limbs
SAVE	659G	Tuliptree	Liriodendron tulipifera	28	Fair	Reduced crown
SAVE	661G	Tuliptree	Liriodendron tulipifera	26	Good	
SAVE	666G	Tuliptree	Liriodendron tulipifera	26	Good	Few broken branches
SAVE	673G	American beech	Fagus grandifolia	24.5	Good	
SAVE	679G	Tuliptree	Liriodendron tulipifera	28.5	Good	Broken branch
SAVE	680G	Tuliptree	Liriodendron tulipifera	28.5	Good	Broken limbs
SAVE	683G	White oak	Quercus alba	35	Fair	Two dead leaders
SAVE	690G	Tuliptree	Liriodendron tulipifera	27.5	Good	With vines
SAVE	694G	Tuliptree	Liriodendron tulipifera	30	Fair	Vines, broken leader
SAVE	700G	Tuliptree	Liriodendron tulipifera	24.5	Fair	Broken leader
SAVE	714G	Tuliptree	Liriodendron tulipifera	28	Good	Broken leader
REMOVE	750G	Northern red oak	Quercus rubra	26	Fair	Undermined, dead limbs
REMOVE*	853G	American beech	Fagus grandifolia	32	Good	Broken branches
SAVE	859G	American beech	Fagus grandifolia	25	Good	Undermined
SAVE	860G	American beech	Fagus grandifolia	24.5	Good	Undermined
AVE SAVE	866G	Tuliptree	Liriodendron tulipifera	28, 18.5	Good	Griderifilited
REMOVE	972G	Tuliptree	Liriodendron tulipifera	25, 16.3	Fair	Leaning, few dead limbs
REMOVE*	972G 996G	Northern red oak	Quercus rubra	30.5	Good	Few dead limbs
			•			I GW UGAU IIIIIDS
SAVE	1004G	American beech	Fagus grandifolia	25	Good	Cliabtly undermined
REMOVE	1006G	White oak	Quercus alba	24.5	Good	Slightly undermined
			Fagus grandifolia these trees. Due to potential da val/save status of these trees.	28 mage to the critica	Poor al root zones, the for	Undermined, leaning, size approximated rest conservation inspector and/or

	SHEET INDEX
SHEET INDEX	
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*SHEETS RE\	/ISED UNDER THIS AMENDMENT
**SHEETS AD	DDED UNDER THIS AMENDMENT

Forest Cons	ervation D	Data Table	<u> </u>
	Number		
	of Acres		
Tract (1)	0.78		
Remaining in Agricultural Use	0.00		
Road & Utility ROWs (2)	0.00		
Total Existing Forest	0.40		
Forest Retention	0.00		
Forest Cleared	0.40		
Land Use & Thresholds (3)		.	
Land Use Category	HDR	ARA, MDR, II	DA, HDR, MDP, o
Conservation Threshold	20%	percent	
Afforestation Threshold	15%	percent	
	Total	Average	
	Channel	Buffer	
	Length	Width	
	(ft.)	(ft.) (4)	
Stream(s)	580	125	
•			I
Acres of Forest in	Retained	Cleared	Planted
Wetlands	0.00	0.00	0.00
100-Year Floodplain	0.00	0.18	0.18
Stream Buffers	0.00	0.40	0.40
Priority Areas	0.00	0.40	0.40

·
1 Tract Area is equal to LOD of project within the existing FC Easement.
2 Only Road or Utility ROWs not to be improved as part of development
3 Information from FC Land Use Categories & Thresholds document.
4 Measured from stream edge to buffer edge.

Prime or Unique

Highly Erodible

NO

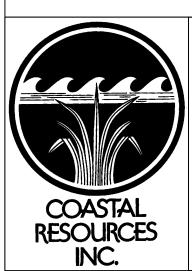
NO

FOREST COL	NSERVATI	ON WORKS	HEET				
NET TRACT	AREA:						
A. Total tra	ct area						0.7
B. Additions	s to tract	area (Off-Si	te Work, e	tc.; constru	iction requi	red by this plan)	0.0
C. Land dec			-				0.0
			•		•	d by this plan)	0.0
E. Area to r				al productio	on/use		0.0
F. Other de							0.0
G. Net Trac	t Area		• • • • • • • • • • • • • • • • • • • •	••••••	=	:	0.7
LAND USE C	ATECODY	/· /from Cha	ntar 22 A 2	Dofinition) ()		
		number "1" :	•		•		
	-	lly one entry		арргорпасс	iana asc,		
		,,					
	ARA	MDR	IDA	HDR	MPD	CIA	
	0	0	0	1	0	0	
G. Afforesta						x G =	0.1
H. Conserva	ation Thre	eshold			20%	x G =	0.1
EVICTING FO	DDECT CO	\					
EXISTING FO							0.4
 Existing for J. Area of for 					_		0.4 0.2
K. Area of f							0.2
K. Alea Oll	orest abo	ove conserva	ition thres	1101u	.=		0.2
BREAK EVEN	N POINT:						
L. Forest re		bove thresh	old with no	o mitigation)=		0.2
M. Clearing							0.2
O	, ,		Ü				
	FOREST C	LEARING:					
PROPOSED I	ea of fore	st to be clea	ared	=			0.4
		st to be reta	ained	=			0.0
N. Total are	ea of fore						
N. Total are	ea of fore						
N. Total are		MENTS:					
N. Total are O. Total are PLANTING F	REQUIREN		ve conserv	vation thres	shold=		0.0
N. Total are O. Total are PLANTING F	REQUIREN	clearing abo					
N. Total are O. Total are PLANTING F P. Reforest Q. Reforest	REQUIREN ation for ation for	clearing abo clearing bel	ow conser	vation thre	shold=		0.3
PLANTING F	REQUIREN ation for ation for r retentic	clearing abo clearing bel on above co	ow conser nservation	vation thre threshold .	shold= =		0.3 0.0
N. Total are O. Total are PLANTING F P. Reforest Q. Reforest R. Credit fo	REQUIREN ation for ation for r retention	clearing abo clearing bel on above coun n required	ow consernservation	vation thre threshold . =	shold= = =		0.3 0.0 0.3
N. Total are O. Total are PLANTING F P. Reforest Q. Reforest R. Credit fo S. Total refe	REQUIRENt ation for ration for r retention orestation	clearing aboon clearing belon above con required nequired	ow consernservation	vation thre threshold . =	shold= = = =		0.0 0.3 0.0 0.3 0.0 0.0

Tilden

Middle

School



THIS PLAN WAS PREPARED BY: HEATHER TATONE MARYLAND DEPARTMENT OF NATURAL RESOURCES QUALIFIED PROFESSIONAL STATUS 2013

HEATHER TATONE COASTAL RESOURCES, INC. 25 OLD SOLOMONS ISLAND ROAD, ANNAPOLIS, MD 21401

DEVELOPER'S CERTIFICATE The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 81996023A including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: Montgomery County Department of Environmental Protection Printed Company Name Contact Person or Owner: Frank Dawson Address: 2425 Reedie Drive, 4th Floor, Wheaton, MD 20902

Tree ID

Phone and Email: <u>(240) 777-7732</u> frank.dawson@montgomerycountymd.gov

Signature: _____

le agreements.	2C	Glenelg silt loam, 8 to 15% slopes
	53A	Codorus silt loam, 0 to 3% slopes, occasionally flooded
	66UB	Wheaton-Urban land complex, 0 to 8% slopes
	Source: Soil Survey Conservation Service	Geographic Database for Montgo e, 2016

Map Symbol

Map Unit Name

Geographic Database for Montgomery County, Maryland. U.S. Department of Agriculture, Natural Resources

SOILS WITHIN TRACT AREA

Predominately non-hydric (5%)

Predominately non-hydric (15%)

Predominately non-hydric (5%)

- PROJECT LIMIT OF DISTURBANCE Georgetown Preparatory School

VICINITY MAP 1" = 1000'

FCP AMENDMENT SHEET 1 OF 11 213NW05

PLAT No. 20751 SURVEYOR'S CERTIFICATE OWNER'S DEDICATION ★ OWNER'S DEDICATION ADDENDUM I hereby certify that the information shown hereon is true to the best of my knowledge and belief, that it is a subdivision of part of the land conveyed by the KARL W. CORBY, III and JOAN W. CORBY, Co-Personal representatives of the Estate of KARL W. CORBY, We, the undersigned, owner (s) of the property described hereon, hereby adopt Futher we establish the Transit Right of Way STRATHMORE this plan of subdivision and establish the minimum building restriction lines. shown hereon as "TRANSIT R/W" to public use. We grant to the Potomac Electric Power Company Bell Atlantic of Maryland PLAT -Inc., (formerly Chesapeake and Potomac Telephone Co. of MD.), Washington Gas Light Co. of MD. and to their respective successors, agents and assigns, an easement, in, JR. to JOAN W. CORBY by a deed dated August 4, 1987 and recorded among the Land Records of Montgomery County, Maryland in on and over the land hereon described as a Public Utility Easement, designated hereon Liber 7992 at Folio 112; as "PUE", with said terms and provisions of such a grant being those set forth in a And that, once engaged as described in the owner's dedication certain document entitled "Declaration of Terms and Provisions for Public Utility hereon, all property markers and other boundary markers shown Easements"and recorded among the Land Records of Montgomery County, MD in Liber 3834 thus — will be set as delineated hereon in accordance with the provisions of Section 50-24(e) (2) of the Montgomery County at Folio 457. Said terms and provisions being incorporated herein by this reference. All terms, conditions, agreements, limitations and requirements associated with any preliminary plan, site plan, project plan or other plan, allowing development of this property, approved by the Montgomery County Planning Board are intended to survive There is no STREET DEDICATION by this plat, and the TOTAL AREA of this plat of subdivision, which includes 2 PARCELS is 3.2382 acres of land. and not be extinguished by the recordation of this plat, unless expressly contemplated by the plan as approved. The official public files for any such plan are maintained by the Planning Board and are available for public review during normal business hours. Further, we establish the Category I and II Conservation Easements, as shown hereon and subject to the terms and conditions, as set forth in a certain document recorded among said Land Records in Libers [3]78 at Folio 412 and 421. BEATTIE REGISTERED PROPERTY LINE SURVEYOR VICINITY MAP Scale - 1"=2000 MARYLAND REGISTRATION NO. 478 As owner of this subdivision, we, our successors, agents and assigns will cause all property corner markers and any other required monumentation to be set by a registered Maryland Surveyor in accordance with Section 50-24 (e) (2) of the Montgomery County Code. SUBDIVISION NOTES Parcels C and D, as shown hereon are to be conveyed to the Homeowner's Association (HOA) Jam W. CORBY This plat is subject to the terms and provisions of a Declaration of Covenants (for private open space) recorded among the Land Records of Montgomery County, Maryland in Liber 14971 at Folio 629. No clearing or grading within the limits of the stream valley buffer, which lies within the area designated as "Conservation GIBEL E WAGNER 9. The property shown hereon is subject to the requirements of the Montgomery County Forest Conservation Law of 1992, including approval of a Final Forest Conservation Plan and appropriate Area I" or "Conservation Area II", shown hereon, without prior approval from the Montgomery County Planning Board.
Development subject to the terms of a Site Plan Enforcement agreements prior to insuance of a sediment control permit. A copy of the approved plan may be viewed at 8787 Georgia Avenue, Silver Spring, Maryland. Agreement with the Montgomery County Planning Board, MNCPSPC (File No. 8-96023). Development is subject to the Forest Conservation Law of 1992. Lands shown hereon lie within R-90 zoning classification with a TDR-9 Designation (1992 North Bethesda/Garrett Park Master Plan). Development is in accordance with R-90/TDR-9 Standards 25 (Section 59-C-1-6 of the Montgomery County Zoning Ordinance).

The source of the 100-year flood plain study shown hereon was taken from a flood plain study for Maryland National Capital Park & Planning / Commission on Rock Creek (Luxamoor Branch) watershed per sheet RC 7-B (Ultimate Land Use) dated April 1. 1975. Vehicular access is denied to Tuckerman Lane. STONE FOUND TUCKERMAN LANE GEORGETOWN PREPARATORY VARIABLE WIDTH RYW 13. Date avagable 1998/06/1**1.** Printed 10/10/**2**019. SCHOOL PHEPAR. INC. 178 P. 1909 PARCEL B HOA OPEN SPACE "X" CUT FOUND 21,110 SQ.FT. OR 0.4846 AC. N 496256.97 E 1281650.8 1/2" REBAR -LINE DATA O BEARING DISTANCE A S 69°56'38"W 11.56 6 B N 17° 48' 15°E 1.50 C N 82º 42'41"W 7.70 **CURVE DATA** LENGTH TANGENT CHORD BEARING CHORD DIST 425.68 218.31 \$ 77°23'18"W 420.40 31° 19° 44* 778.51 8°03'03" 860.01 120.84 50.52 \$ 68°10'12"E 120.74 570.95 296.48 N 98"45'09"E 560.48 4 17°47'13" 720.00 223.52 112.66 \$ 59°28'48"W 222.62 61°10'50" 540.00 576.61 319.23 N 81°02'11"W 549.61 7 39°31'17" 407.50 281.08 146.39 \$ 77°31'40"W 275.55 8 21°16'32" 895.01 332.34 168.11 S 74°46'57"E 330.44 The approval of this plat is predicated on the adequacy and availability of public sewer and water, PLAT OF SUBDIVISION *UPDATED FCE EASEMENT OBTAINED FROM PARCELS "C" AND "D" OEPARTMENT OF ENVIRONMENTAL PROTECTION MONTGOMERY COUNTY, MARYLAND MONTGOMERY COUNTY GIS DATA FILED TUCKERMAN HEIGHTS ENGINEER'S CERTIFICATE FOR PUBLIC SEWER AND WATER SYSTEMS ONLY 297239196918969231290TD29101299 ROCKVILLE (4TH) ELECTION DISTRICT PPROVED - D.E.P Memo 10/20/97 I HEREBY CERTIFY THAT THE LIMITS OF THE IOO YEAR FLOODPLAIN MONTGOMERY COUNTY, MARYLAND MONTGOMERY COUNTY, MARYLAND DEPARTMENT OF PERMITTING SERVICES THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION SHOWN ON THIS RECORD PLAT ARE AN ACCURATE REFLECTION AS MONTGOMERY COUNTY PLANNING BOARD SCALE: 1" = 50' MAY, 1997 TRANSFERRED FROM THE FLOODPLAIN STUDY REFERENCED IN Julie 12,1997 SUBDIVISION NOTE 7 ON THIS PLAT. APPROVED - Nov. 17,1997 RECORDED_ LOIEDERMAN ASSOCIATES, INC. PLAT BOOK_ SURVEYORS PLANNERS ENGINEERS MICHAEL WAGNER 1390 Piccard Orive Rockville, Maryland 20850 (301) 948-2750 REGISTERED P.E., MD. REGISTRATION NO. 12270 M.N.C.P. & P.C. RECORD FILE NO. - 606 - 75 DIRECTOR (PLAT THREE: PLAN 728-00/25403) MBA SSU 1249-7493 606-75 HIS PLAN WAS PREPARED BY: **DEVELOPER'S CERTIFICATE** —LOD — PROPOSED LIMIT OF DISTURBANCE The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. MARYLAND DEPARTMENT OF NATURAL RESOURCES 81990623A including, financial bonding, forest planting, maintenance, and all other applicable agreements. **QUALIFIED PROFESSIONAL STATUS 2013** ——FCE —— FOREST CONSERVATION EASEMENT GRAPHIC SCALE Developer's Name: Montgomery County Department of Environmental Protection Printed Company Name Contact Person or Owner: Frank Dawson (in feet) Address: 2425 Reedie Drive, 4th Floor, Wheaton, MD 20902 1 inch = 50 feet DATE Phone and Email: (240) 777-7732 frank.dawson@montgomerycountymd.gov COASTAL RESOURCES, INC.

HEATHER TATONE

HEATHER TATONE

ANNAPOLIS, MD 21401

25 OLD SOLOMONS ISLAND ROAD,

Signature: ____

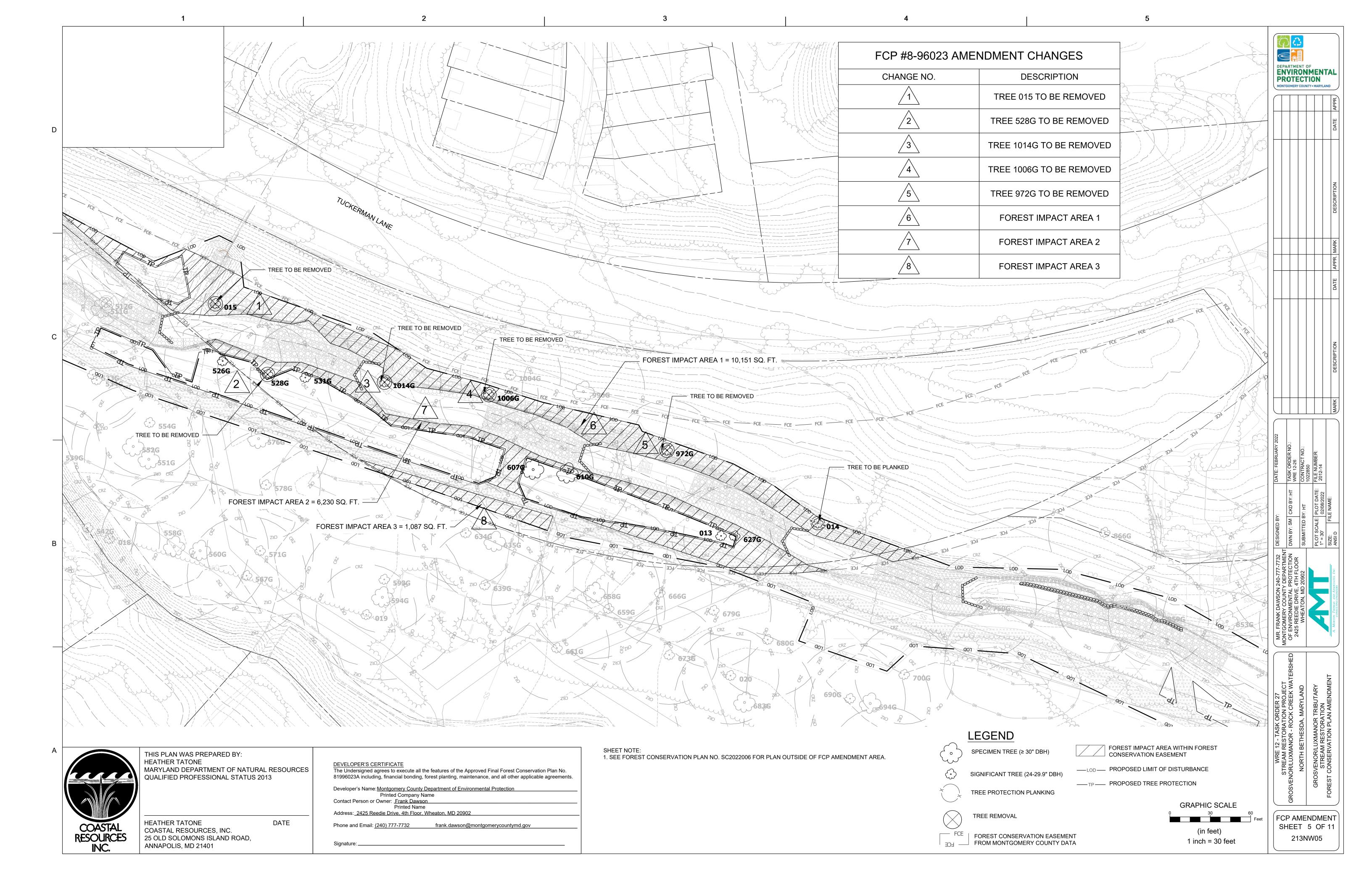
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RESOURCES

DEPARTMENT OF **ENVIRONMENTAL** PROTECTION

MONTGOMERY COUNTY • MARYLAND

FCP AMENDMENT SHEET 3 OF 11 213NW05



1	2	3	4
	FOREST CONSERVATION NOTES 1. Any excavation work within the critical root zone of any signification.	ant or specimen tree (24" or greater)	Sequence of Events for Property Owners Required to Comply With Forest Conservation and/or Tree-Save Plans Pre-Construction
	must be done under supervision of a certified arborist. 2. Tree pruning and root pruning for construction access must be MD certified arborist. 3. All disturbed areas within the LOD are to be seeded and/or plar plan and details, and landscape plan and details, are included in the second control of the sec	performed under the supervision of a nted. The sediment and erosion control	1. An on-site pre-construction meeting is required after the limits of disturbance have been staked and flagged, but before any clearing grading begins. The property owner should contact the Montgomery County Planning Department inspection staff before construction to verify the limits of disturbance and discuss tree protection and tree care measures. The developer's representative, construction superintendent, ISA certified arborist or Maryland licensed tree expert that will implement the tree protection measures, forest conservation inspector, and Department of Permitting Services (DPS) sediment control inspector should attend this pre-construction meeting.
	Permit Plan set.		2. No clearing or grading shall begin before stress reduction measures have been implemented. Appropriate measures may include, buare not limited to: a. Root pruning
	INSPECTIONS		b. Crown reduction or pruning c. Watering d. Fertilizing
	All field inspections must be requested by the applicant.		e. Vertical mulching f. Root aeration matting
	Field Inspections must be conducted as follows: Plans without Planting Requirements		Measures not specified on the forest conservation plan may be required as determined by the forest conservation inspector in coordination with the arborist. 3. A Maryland licensed tree expert or an International Society of Arboriculture certified arborist must perform all stress reduction
	1. After the limits of disturbance have been staked and flagged, but begins.		measures. Documentation of stress reduction measures must be either observed by the forest conservation inspector or sent to the inspector at 8787 Georgia Avenue, Silver Spring, MD 20910. The forest conservation inspector will determine the exact method to
	 After necessary stress reduction measures have been completed installed, but before any clearing and grading begin and before resolved. After completion of all construction activities, but before removed determine the level of compliance with the provision of the forest of the forest	lease of the building permit. al of tree protection fencing, to	convey the stress reductions measures during the pre-construction meeting. 4. Temporary tree protection devices shall be installed per the Forest Conservation Plan/Tree Save Plan and prior to any construction activities. Tree protection fencing locations should be staked prior to the pre construction meeting. 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. Temporary tree protect devices may include:
	Additional Requirements for Plans with Planting Requirements 4. Before the start of any required reforestation and afforestation planting for the required reforestation and afforestation planting has be planting is acceptable and prior to the start the maintenance period for the end of the maintenance period to determine the level of planting plan, and if appropriate, release of the performance bond	een completed to verify that the od. compliance with the provisions of the	 a. Chain link fence (four feet high) b. 14 gauge 2 inch x 4 inch welded wire fencing supported by steel T-bar posts (minimum 4 feet high) with high visibility flagging. 5. Temporary protection devices shall be maintained and installed by the contractor for the duration of construction project and must not be altered without prior approval from the forest conservation inspector. No equipment, trucks, materials, or debris may be stored within the tree protection fence areas during the entire construction project. No vehicle or equipment access to the fenced area will be permitted. Tree protection shall not be removed without prior approval of forest conservation inspector. 6. Forest retention area signs shall be installed as required by the forest conservation inspector, or as shown on the approved plan. 7. Long-term protection devices will be installed per the Forest Conservation Plan/Tree Save Plan and attached details. Installation will occur at the appropriate time during the construction project. Refer to the plan drawing for long-term protection measures to be installed. During Construction 8. Periodic inspections by the forest conservation inspector will occur during the construction project. Corrections and repairs to all tree protection devices, as determined by the forest conservation inspector, must be made within the timeframe established by the inspector.
			Post-Construction 9. After construction is completed, an inspection shall be requested. Corrective measures may include: a. Removal and replacement of dead and dying trees b. Pruning of dead or declining limbs c. Soil aeration
			d. Fertilization e. Watering f. Wound repair
			g. Clean up of retention areas 10. After inspection and completion of corrective measures have been undertaken, all temporary protection devices shall be removed from the site. Removal of tree protection devices that also operate for erosion and sediment control must be coordinated with both the Department of Permitting Services and the forest conservation inspector. No additional grading, sodding, or burial may take place after the tree protection fencing is removed.
T			
THIS PLAN WAS PREPARED BY: HEATHER TATONE MARYLAND DEPARTMENT OF NATURAL RESOURCE	DEVELOPER'S CERTIFICATE The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No.		
QUALIFIED PROFESSIONAL STATUS 2013	81996023A including, financial bonding, forest planting, maintenance, and all other applicable agreements. Developer's Name: Montgomery County Department of Environmental Protection Printed Company Name		

COASTAL RESOURCES INC.

HEATHER TATONE COASTAL RESOURCES, INC. 25 OLD SOLOMONS ISLAND ROAD, ANNAPOLIS, MD 21401 DATE Contact Person or Owner: <u>Frank Dawson</u>
Printed Name
Address: <u>2425 Reedie Drive, 4th Floor, Wheaton, MD 20902</u>

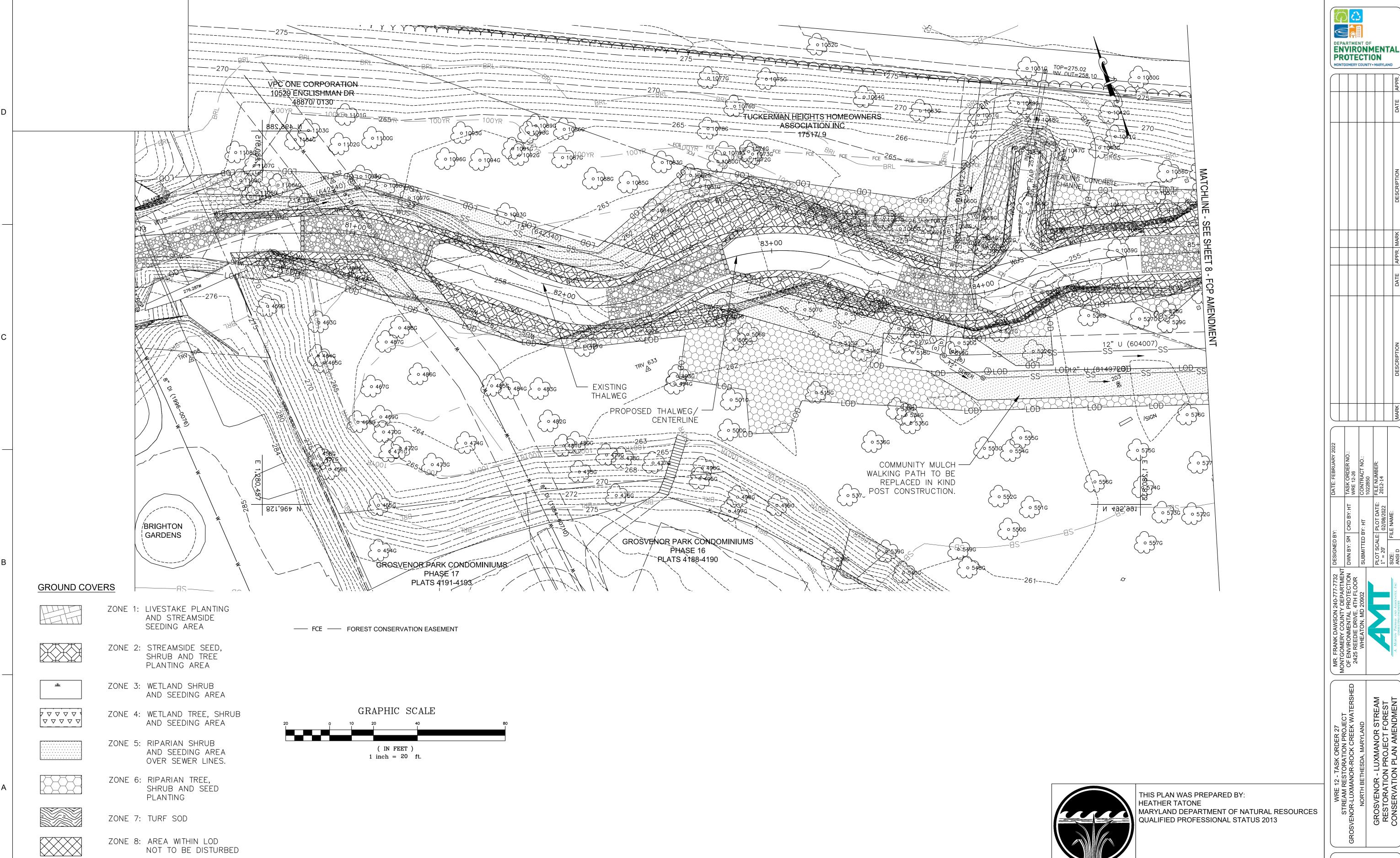
Phone and Email: (240) 777-7732 frank.dawson@montgomerycountymd.gov

Signature: ____

DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
MONTGOMERY COUNTY • MARYLAND

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T								
	MARK	DESCRIPTION	DATE APPR. MARK	APPR.	MARK	DESCRIPTION	DATE AP	AF

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FCP AMENDMENT

SHEET 7 OF 11

213NW05

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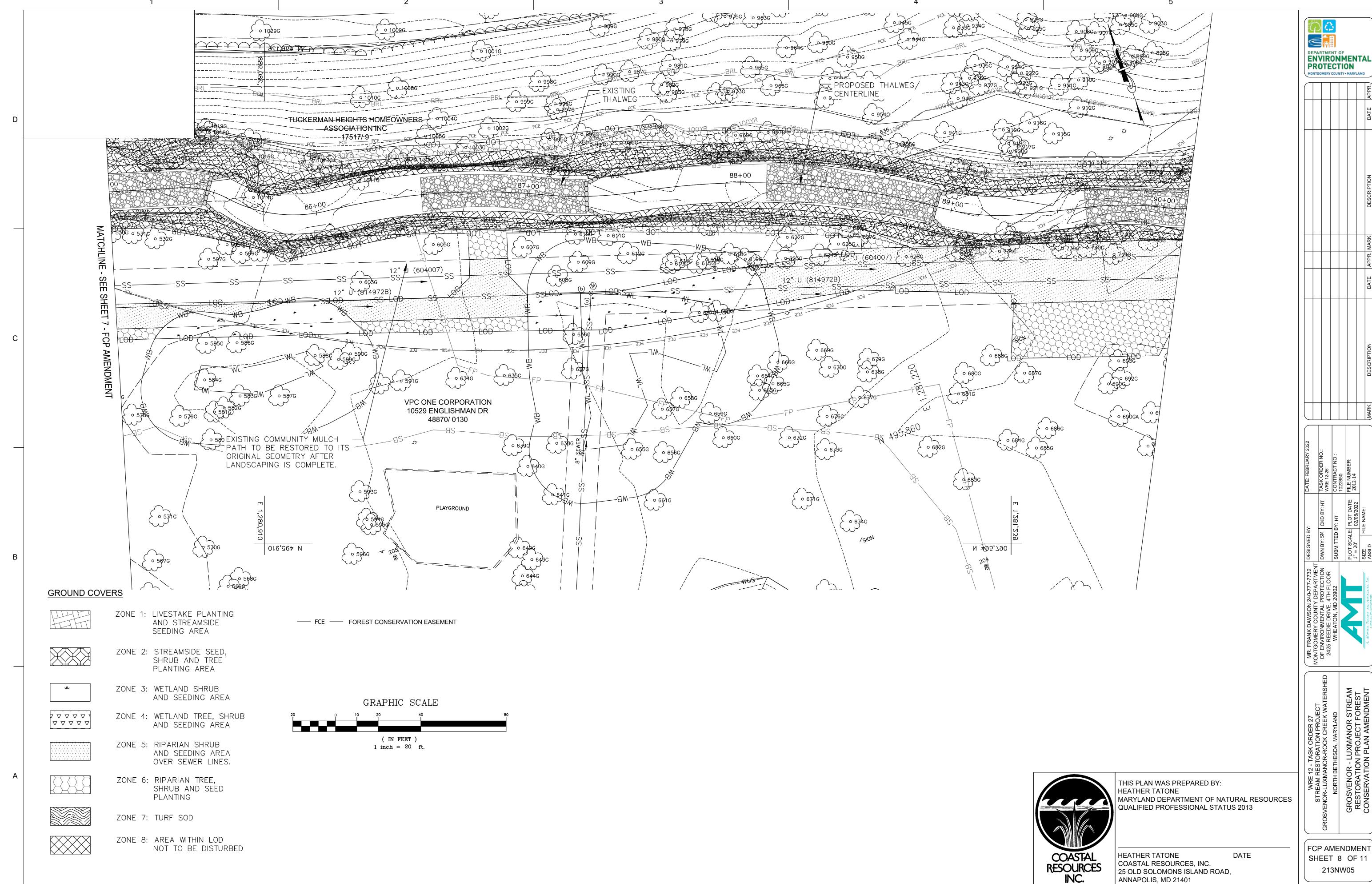
HEATHER TATONE

ANNAPOLIS, MD 21401

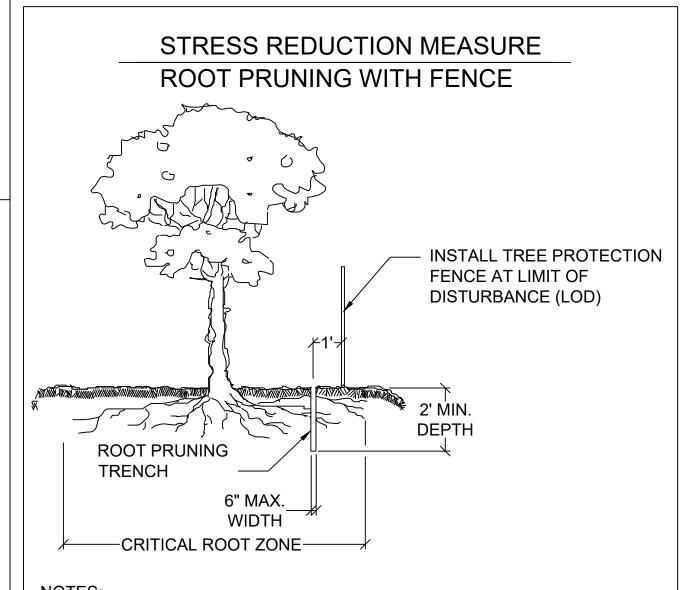
COASTAL RESOURCES, INC.

25 OLD SOLOMONS ISLAND ROAD,

DATE



ENVIRONMENTAL



- 1. RETENTION AREAS WILL BE SET AS PART OF THE REVIEW PROCESS.
- 2. BOUNDARIES OF RETENTION AREAS SHOULD BE STAKED AND FLAGGED PRIOR TO TRENCHING
- 3. EXACT LOCATION OF TRENCH SHOULD BE IDENTIFIED.
- 4. ROOTS SHOULD BE CLEANLY CUT USING VIBRATORY KNIFE OR OTHER ACCEPTABLE EQUIPMENT.
- 5. TRENCH SHOULD BE IMMEDIATELY BACKFILLED WITH SOIL REMOVED OR OTHER HIGH ORGANIC SOIL.

TRUNK PROTECTION DETAIL

PLAN VIEW SY	/MBOL
TREE PROTECTION STANDARD SYMBO AREA TPF—TPF—T	
NO DISTURBANCE PERMITTED BEYOND THIS POINT	
AREA DE PROTECCION DE ARBOLES NO SE PERMITE TRABAJAR NI DEJAR MATERIALES EN EL AREA ATRAS DE ESTE ROTULO	
10" X 12" WEATHEI SIGNS SECURED T @30" O.C. (MAX)	
BETWEEN POSTS 8' MIN. METAL 'T' F DRIVEN 2' INTO TH	
FLAGGING	
WELDED WIRE FE 14/14 GA. GALVAN 2"X4" OPENING	
SECURE FENCING POSTS	TO METAL
<u>ELEVATION</u> \forall	
N.T.S. NOTES:	
PRACTICE MAY BE COMBINED WITH SEDIMENT CONTROL FENCING.	
LOCATION AND LIMITS OF FENCING SHALL BE COORDINATED IN FIELD WITH ARBORIST.	
BOUNDARIES OF PROTECTION AREA SHOULD BE STAKED PRIOR TO INSTALLING PROTECTIVE DEV	ICE.
4. ROOT DAMAGE SHOULD BE AVOIDED.	
5. PROTECTIVE SIGNAGE IS REQUIRED.	
6. FENCING SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.	
	Detail No.
TREE PROTECTION FENCE	
The Maryland-National Capital Park and Planning Commission Montgomery County Department of Parks	JUNE 2007

RIPARIAN BUFFER SEED MIX			
27 lbs/acre			
SCIENTIFIC NAME COMMON NAME % OF			
Festuca brevipila	Hard Fescue	75%	
Panicum clandestinum (Dichanthelium c.)	Deertongue	8%	
Schizachyrium scoparium	Little Bluestem	7%	
Andropogon virginicus	Broomsedge Bluestem	4%	
Tridens flavus	Purpletop	4%	
Elymus virgnicus	Virginia Wildrye	2%	

WETLAND SEED MIX			
:	8 lbs/acre		
SCIENTIFIC NAME	COMMON NAME	% OF MIX	
Poa palustris	Fowl Bluegrass	27%	
Juncus effusus	Common Rush	22%	
Glyceria canadensis	Rattlesnake Mannagrass	14%	
Carex vulpinoidea	Fox Sedge	13%	
Carex comosa	Longhair Sedge	8%	
Carex lurida	Shallow Sedge	8%	
Scirpus cyperinus	Woolgrass	8%	

STREAMSIDE/STREAMBANK SEED MIX 33 lbs/acre			
Festuca brevipila	Hard Fescue	61%	
Poa pratensis	Kentucky Bluegrass	15%	
Andropogon geradii	Big Bluestem	6%	
Tripsacum dactyloides	Eastern Gamagrass	6%	
Sorghastrum nutans	Indiangrass	6%	
Panicum virgatum	Switchgrass	3%	
Asclepias incarnata	Swamp Milkweed	2%	
Elymus virgnicus	Virginia Wildrye	1%	

SEE SHA SPECIFICATION 707.03.03 FOR SEED APPLICATION RATE ON SHA PROPERTY

WET MEADOW/WETLAND ESTABLISHMENT			
GRASSESS, SEDGES AND PURE LIVE SEED			
RUSHES INCLUDE ALL	LB PER ACRE		
COMMON RUSH	1.6		
FOX SEDGE	1.0		
FOWL BLUEGRASS	2.0		
LONGHAIR SEDGE	0.6		
RATTLESNAKE MANNAGRASS	1.0		
SHALLOW SEDGE	0.6		
WOOLGRASS	0.6		

STREAMSIDE/LOWLAND MEADOW ESTABLISHMEN		
GRASSESS, SEDGES AND	PURE LIVE SEED*	
RUSHES INCLUDE ALL	LB PER ACRE	
BIG BLUESTEM	1.6	
EASTERN GAMAGRASS	1.0	
HARD	2.0	
FESCUE	0.6	
INDIANGRASS	1.0	
KENTUCKY BLUEGRASS	0.6	

RIPARIAN/UPLAND MEADO	RIPARIAN/UPLAND MEADOW ESTABLISHMENT		
GRASSESS, SEDGES AND	PURE LIVE SEED*		
RUSHES INCLUDE ALL	LB PER ACRE		
BROOMSEDGE BLUESTEM	1.0		
DEERTONGUE	2.0		
HARD FESCUE	20.0		
LITTLE BLUESTEM	2.0		
PURPLETOP	1.0		
VIRGINIA WILDRYE	0.5		

NOTE: THE RATE SHOWN IS PURE LIVE SEED. USE GERMINATION AND PURITY DATA FROM THE SEED TAG TO CALCULATE THE ACTUAL SEEDING RATE NEEDED TO OBTAIN THE SEEDING RATE IN PURE LIVE SEED.

TRUNK 2" MIN. CLOSED CELL FOAM ROPE OR STAP 2"x4" MIN. BOARD MAIN TRUNK OF TREE	[
INSTALL A 2"x4" MIN. BOARD WITH FOAM TIED ON WORK SIDE OF TREE	
HEIGHT AS DIRECTED BY THE ARBORIST MIN. ½"Ø NATURAL FIBER/NYLON ROPE OR STAPS. MIN. 3 PLACES OR AS DIRECTED BY THE	TRE

ARBORIST

NOTES:

1. COMPLETE ALL INSTALLATION UNDER THE DIRECTION OF A CERTIFIED ARBORIST

NATURAL GROUND

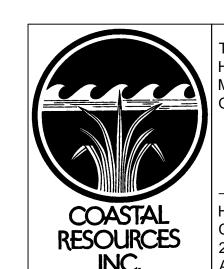
- 2. TIE BOARDS WITH WITH 1/2" DIAMETER ROPE OR STAPS SUFFICIENT TO PROTECT ALL AREAS OF THE TREE EXPOSED TO CONSTRUCTION.
- 3. PROTECT THE TRUNK FROM DAMAGE DUE TO THE STRAPS WITH ADDITIONAL FOAM AND BOARDS AS NEEDED



PLAN VIEW SYMBOL

NOT TO SCALE





THIS PLAN WAS PREPARED BY: MARYLAND DEPARTMENT OF NATURAL RESOURCES QUALIFIED PROFESSIONAL STATUS 2013

HEATHER TATONE DATE COASTAL RESOURCES, INC. 25 OLD SOLOMONS ISLAND ROAD, ANNAPOLIS, MD 21401

DEPARTMENT OF ENVIRONMENTAL

PROTECTION

FCP AMENDMENT SHEET 9 OF 11 213NW05

LANDSCAPE PLANTING ZONE TABLES

Zone with Livestakes	Zones with ONLY Shrubs and Seed			Zones with	Trees, shrubs	and seed	Units
Livestakes	Wetland	Streamside	Riparian	Wetland	Streamside	Riparian	
3313	2,696	0	3,768	0	7,347	6,590	sf
0.08	0.06	0.00	0.09	0.00	0.17	0.15	acres

ZONE 1: LIVE STAKE PLANTING SCHEDULE				
(SPACED 3 FT ON CENTER)				
SCIENTIFIC NAME COMMON NAME RATIO APPROX #				
Cornus sericea cardinal	Cardinal Redosier Dogwood	15%	70	
Cornus amomum	Silky Dogwood	40%	187	
Salix sericra	Silky Willow	20%	94	
Salix nigra	Black Willow	25%	118	
		TOTAL	469	

ZONE 2: STREAMSIDE TREES & SHRUBS				
	SHRUBS (33 PER ACRE)			
SCIENTIFIC NAME	COMMON NAME PERCENT PLANTED		APPROX #	
Lindera benzoin	Spicebush	35%	2	
Viburnum dentatum	Southern Viburnum	25%	1	
Viburnum prunifolium	Blackhaw Viburnum	15%	1	
Cornus amomum	Silky Dogwood	25%	2	
		TOTAL	6	
TREES	(SPACED 20 FT ON CENTE	R)		
Betula nigra	River Birch	50%	12	
Platanus occidentalis	American Sycamore	50%	11	
		TOTAL	23	
FERNS (500 PER ACRE)				
Polystichum acrostichoides	Christmas Fern	100%	225	
		TOTAL	225	

ZONE 3: WETLAND SHRUBS					
	(33 PER ACRE)				
SCIENTIFIC NAME COMMON NAME PERCENT PLANTED APPR					
Cornus sericia	Redosier Dogwood	25%	1		
Sambucus canadensis	American Black Elderberry	25%	1		
Viburnum dentatum	Southern Viburnum	25%	0		
Cornus amomum	Silky Dogwood	25%	0		
		TOTAL	2		

ZONE 4: WETLAND TREES & SHRUBS SCHEDULE							
SHRUBS (33 PER ACRE)							
SCIENTIFIC NAME	COMMON NAME PERCEN PLANTE		APPROX #				
Cornus sericia	Redosier Dogwood	25%	0				
Sambucus canadensis	American Black Elderberry	25% 0					
Viburnum dentatum	Southern Viburnum	25%	0				
Cornus amomum	Silky Dogwood	25%	0				
		TOTAL	0				
TREES (SPACED 20 FT ON CENTER)							
SCIENTIFIC NAME	COMMON NAME	PERCENT PLANTED	APPROX #				
Nyssa sylvatica	Black Gum	20%	0				
Quercus bicolor	Swamp White Oak	20%	0				
Acer rubrum	Red Maple	20%	0				
Quercus alba	White Oak	20%	0				
Platanus occidentalis	Sycamore	20%	0				
		TOTAL	0				

ZO	ONE 5: RIPARIAN SHRUBS					
(33 PER ACRE)						
SCIENTIFIC NAME	COMMON NAME	PERCENT PLANTED	APPROX #			
Lindera benzoin	Spicebush	30%	0			
Viburnum dentatum	Southern Viburnum	25%	1			
Viburnum prunifolium	Blackhaw Viburnum	20%	1			
Sambucus canadensis	American Black Elderberry	15%	0			
Hamamellis virginiana	Witch Hazel	10%	1			
		TOTAL	3			

ZONE 6: RIPARIAN TREES & SHRUBS						
SHRUBS (33 PER ACRE)						
SCIENTIFIC NAME	COMMON NAME	PERCENT PLANTED	APPROX #			
Lindera benzoin	Spicebush	30%	1			
Viburnum dentatum	Southern Viburnum	25%	1			
Viburnum prunifolium	Blackhaw Viburnum	20%	1			
Sambucus canadensis	American Black Elderberry	15%	1			
Hamamellis virginiana	Witch Hazel	10%	1			
		TOTAL	5			
TREES (SPACED 20 FT ON CENTER)						
Fagus grandifolia	American Beech	20%	4			
Nyssa sylvatica	Black Gum	20%	4			
Acer rubrum	Red Maple	20%	4			
Quercus alba	White Oak	20%	4			
Quercus rubra	Northern Red Oak	20%	5			
		TOTAL	21			

ZONE 7:	TURF SOD
AREA	UNIT
0	SF

NOTE: THESE QUANTITIES REPRESENT THE PROPOSED PLANTINGS WITHIN THE FOREST CONSERVATION EASEMENT AREA ONLY



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MARYLAND DEPARTMENT OF NATURAL RESOURCES
QUALIFIED PROFESSIONAL STATUS 2013

HEATHER TATONE DATE
COASTAL RESOURCES, INC.
25 OLD SOLOMONS ISLAND ROAD,
ANNAPOLIS, MD 21401

DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
MONTGOMERY COUNTY - MARYLAND

MARK	DESCRIPTION	DATE APPR. MARK	APPR.	MARK	DESCRIPTION	DATE APPR.	APPR.

a Z Z		DESIGNED BY: DWN BY: SM CKD BY: HT	DATE: FEBRUAR TASK ORDER NO WRE 19-26
LOOK	SUBMITTED BY: HT	D BY: HT	CONTRACT NO.:
	PLOT SCAL 1" = 30'	PLOT SCALE: PLOT DATE: 1" = 30' 02/08/2022	FILE NUMBER: 2012-14
	SIZE:	FILE NAME:	

MR. FRANK DAWSON 240-777-7732 MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION 2425 REEDIE DRIVE, 4TH FLOOR WHEATON, MD 20902

WRE 12 - TASK ORDER 27
STREAM RESTORATION PROJECT
DSVENOR/LUXMANOR - ROCK CREEK WATERSI
NORTH BETHESDA, MARYLAND
GROSVENOR/LUXMANOR TRIBUTARY
STREAM RESTORATION
DREST CONSERVATION PLAN AMENDMENT

FCP AMENDMENT SHEET 10 OF 11 213NW05

Title and Text of SHA Landscape Notes

The applicant shall insert the Title, along with the Chapter Number, Subject, and Text of each pertinent Note, in the order shown below. Some Notes require customized text. Refer to EG Chapter 6.0-e regarding the note required when non-SHA standards are reproduced, and refer to the note of EG Chapter 4.1-e when SHA mitigation is waived.

SHA LANDSCAPE NOTES. Landscape construction within rights of way of the Maryland State Highway Administration (SHA) and within SHA property, easement areas and lands to be conveyed to SHA shall conform to these Notes. For guidance regarding design modifications during construction, refer to SHA Landscape Design Guide, SHA Landscape Estimating Manual, and SHA Environmental Guide for Access and District Permit Applicants at http://www.roads.maryland.gov/index.aspx?PageId=25

SHA Standard Specifications. Landscape construction shall conform to Sections 701 through 716, and landscape materials shall conform to Section 920 of the most recent revision of SHA Standard Specifications for Construction and Materials, including all revisions and supplements, and as specified in these notes. These requirements shall supersede all other specifications for work on SHA property. All SHA specifications for landscaping and landscape materials published in 2008 have been replaced. Current Specifications are at http://www.roads.maryland.gov/ Index.aspx?PageId=44

Erosion and Sediment Control Manager (ESCM). Soil disturbance such as grading, excavation, soil placement or other activities that involve soil disturbance shall be supervised by an ESCM Manager with a valid "SHA Yellow Card" in conformance with SHA Standard Specifications and any applicable Erosion and Sediment Control Permit.

SHA Standard Details for Trees, Shrubs and Planting Beds. The installation of trees, shrubs, planting beds and other landscape construction related to Section 710 of the SHA Standard Specifications shall conform to the "SHA Book of Standards for Highway & Incidental Structures - Category 7" at http://apps.roads.maryland.gov/BusinessWithSHA/bizStdsSpecs/desManual StdPub/publicationsonline/ohd/bookstd/toccat7.asp

Temporary Stabilization shall be installed in conformance with Section 704 to ensure that areas of soil disturbance are protected from wind, rainfall and flowing water until permanent stabilization is installed.

- Temporary Mulch, either as temporary straw mulch or temporary matting mulch, shall be installed at the end of each working day to provide "same day stabilization" unless other approved stabilization is installed.
- 2. Temporary straw mulch shall be installed on areas and slopes flatter than 4:1; temporary matting mulch shall be applied on slopes 4:1 and steeper, and to areas within channels.
- Temporary Seed shall be installed in lieu of Temporary Mulch when soil redisturbance is expected more than 30 days after soil disturbance. The required application rate shall be 100 lbs per acre of 37-0-0 (SCU) fertilizer.

Turfgrass Sod Establishment shall be performed in all disturbed areas, or within the areas indicated in the plans, in conformance with Section 708 of the SHA Standard Specifications. The required application rate of 20-16-12 fertilizer shall be 200 lbs per acre, and no fertilizer shall be applied from November 15 to March 1.

Turfgrass Establishment shall be performed in all disturbed areas, or within the areas indicated in the plans, in conformance with Section 705 of the SHA Standard Specifications. The required application rate of 20-16-12 fertilizer shall be 200 lbs per acre, and no fertilizer shall be applied from November 15 to March 1.

Soil Stabilization Matting shall be installed in conformance with Section 709 of the SHA Standard Specifications, in conjunction with Turfgrass Establishment per Section 705 or Meadow Establishment as follows:

- Areas Flatter than 6:1. Type A or Type E matting may be installed in lieu of straw mulch and hydromulch binder in conjunction with Turfgrass Establishment.
- Areas Steeper than 6:1 and Flatter than 4:1. Type A or Type E matting shall be installed in lieu of straw mulch and hydromulch binder in conjunction with Turfgrass Establishment, unless delineated and noted otherwise.
- Channels, Stormwater Management Facilities, and Slopes 4:1 and Steeper. Type A Soil Stabilization Matting shall be installed in lieu of straw mulch and hydromulch binder in conjunction with Turfgrass Establishment, unless delineated and noted otherwise.
- 4. In areas of Meadow Establishment with Type D Soil Stabilization Matting, the matting shall be installed in lieu of straw mulch and hydromulch binder within the delineated areas.
- In high velocity channels with Turfgrass Establishment, Type B Soil Stabilization Matting shall be installed in lieu of straw mulch and hydromulch binder within the delineated areas.

Meadow Establishment or Shrub Seeding Establishment shall be performed in areas as indicated in the plans, in conformance with Sections 706 and 707 of the SHA Standard Specifications. The required application rate of 20-16-12 fertilizer shall be 200 lbs per acre.

Tree Preservation Areas. Temporary Orange Construction Fence (TOCF) shall be installed in locations delineated on the plans in conformance with Section 120 of the SHA Standard Specification to protect existing trees and other vegetation during construction. Areas within TOCF shall be protected from all prohibited and restricted activities, as specified in Section 120.

Brush Removal shall be performed in conformance with Operation 2 - Brush Removal with Stump Treatment of Section 713. Debris shall be removed, or chipped and distributed to a maximum depth of 1 inch within brush removal areas, or in meadow or forest areas.

Tree Felling in Turfgrass Areas shall be performed in conformance with Operation 1 - Felling and Stump Removal of Section 714. All debris shall be removed from SHA property.

Tree Felling in Meadow Areas shall be performed in conformance with Operation 2 - Felling and Stump Treatment of Section 714. All debris shall be removed, or chipped and distributed within meadow areas of SHA property, to a maximum depth of 1 inch.

Tree Felling in Natural Areas shall be performed in conformance with Operation 4 - Felling and Delimbing of Section 714.

Stump Removal in turfgrass or meadow areas shall be performed in conformance with Operation 5 - Stump Removal of Section 714.

Option 1 - Insert the following Note for projects that involve minor pruning:

Tree Branch Pruning shall be performed or directly supervised by a Maryland Licensed Tree Expert in conformance with ANSI A300 standards per Section 712 as necessary for any of the following: To install Temporary Orange Construction Fence (TOCF) along delineations on plans; to perform Tree Root Pruning along delineations on plans; to provide 8-foot clearance above sidewalk pavements and 16-foot clearance above roadway pavements; to repair tree wounds; and to perform other recommended cleaning, thinning, reducing and pruning necessary to accommodate utilities. All debris shall be removed from SHA property.

Option 2 - Insert the following Note with specific instructions for major pruning:

Tree Branch Pruning shall be performed in conformance with Section 712 as follows: Applicant to explain goals and locations of pruning. All debris shall be removed from SHA property.

Tree Root Pruning shall be performed along the line shown on the plans in conformance with Section 715. Tree Root Pruning shall be completed before beginning excavation or other construction adjacent to trees to be preserved.

Tree Fertilizing shall be performed in conformance with Operation 3 - Broadcast Fertilizing per Section 716. 20-16-12 fertilizer shall be applied to the soil surface under the dripline of trees at the rate of 200 lbs. per acre.

Finished Materials. The suitability, color and texture of <u>applicant to insert name of materials</u> with references to pages of the plans which specify these materials to be installed shall be approved before installation. The contractor shall furnish samples or make arrangements for inspection and approval at the project site.

Future Maintenance. Additional maintenance that may be required after hardscape, street furniture or plant materials are installed and accepted by SHA such as replacement, watering, weeding, mulching or pest control may be provided by the applicant when a permit for the proposed work is issued by the SHA District Office.

GENERAL PLANTING NOTES:

- 1. THIS PLAN IS FOR PLANTING PURPOSES ONLY, AND ANY OTHER INFORMATION SHOWN IS <u>FOR REFERENCE ONLY.</u> SEE SITE PLAN FOR INFORMATION ABOUT ALL LAYOUT, GRADING AND OTHER SITE IMPROVEMENTS.
- 2. CALL MISS UTILITY AT 811 OR 1-800-257-7777 TO MARK UTILITIES AT LEAST 48 HOURS BEFORE DIGGING.
- 3. All materials and planting procedures except as otherwise noted shall conform to the latest edition of "LANDSCAPE SPECIFICATION GUIDELINES" by the Landscape Contractors Association MD—DC—VA. All work on MDOT SHA property shall conform with MDOT SHA materials and specifications.
- 4. Plants shall conform to the current edition of the American Standard for Nursery Stock. (ANSI z60.1)
- 5. Plant names shall be those given in the latest edition of <u>Standard Plant Names</u>, American Committee on Horticultural Nomenclature.
- 6. Topsoil shall meet specifications as per the 2011 MD Standards and Specifications for Soil Erosion and Sediment Control.
- 7. The Contractor shall submit representative soil samples from both in—situ soils and soils brought in from off—site to a state licensed testing laboratory. The Contractor shall incorporate or apply soil amendments and fertilization based upon results of the soil tests and recommendations by the test lab.
- 8. The Contractor shall apply grass according to the 2011 MD Standard and Specifications for Soil Erosion and Sediment Control. Do not use Kentucky 31 tall fescue.
- 9. The Contractor shall stake out all planting beds and tree locations for approval by the Landscape Architect or Owner and representative before digging. It is the Contractor's responsibility to locate and coordinate plantings with all existing utilities. If discrepancies occur because of utility locations or other existing conditions the Contractor shall notify the Landscape Architect and Owner's representative immediately to coordinate any necessary adjustments.
- 10. All plant material shall be labeled by the nursery and delivered with labels in place for inspection. Substitutions in plant species or size will not be permitted except with the approval of the Landscape Architect and Owner. Do not prune until plant material has been planted but as soon thereafter as is advisable under standard horticultural practices. For tree pruning and care methods please refer to ANSI A-300, latest edition.
- 11. It is of utmost importance that all plant material be set slightly higher in relation to grade than it was grown in the nursery and with good earth to root contact. Any materials or work may be rejected by the Landscape Architect if it does not meet this or any other requirement of the specifications. Rejected materials shall be removed from the site by the Contractor at Contractor's expense.
- 12. The Contractor shall mulch and water all plants well on the day they are planted. Individual planting shall be mulched.

 Acceptable mulch shall be hardwood only. Mulch must be well aged, uniform in color, and free of foreign material including plant material. Well aged mulch is defined as mulch that has been stockpiled or stored for at least twelve (12) months. The Contractor shall apply the mulch uniformly to a 2 to 3 inch depth. Bark shall be kept 3 to 4 inches away from all trunks and woody stems.
- 13. In case of discrepancies between quantities on the plant list and the plan, the plan shall govern.
- 14. Sod bare areas as directed by Owner for all disturbed areas to be stabilized that are not landscaped or covered.

SEQUENCE OF CONSTRUCTION:

1. APPLY AND TILL IN A 3-INCH BLANKET OF SPECIFIED COMPOST. COMPOST SHALL BE LEAFGRO® OR AN APPROVED EQUAL. THE PAPER WORK, SAMPLE AND U.S. COMPOSTING COUNCIL'S SEAL OF TESTING ASSURANCE PROGRAM (STA) CERTIFICATIONS FOR ALL ALTERNATES SHALL BE SUBMITTED AND APPROVED PRIOR TO PURCHASE. ALTERNATES MUST BE STA COMPOST APPROVED BY THE U.S. COMPOSTING COUNCIL'S SEAL OF

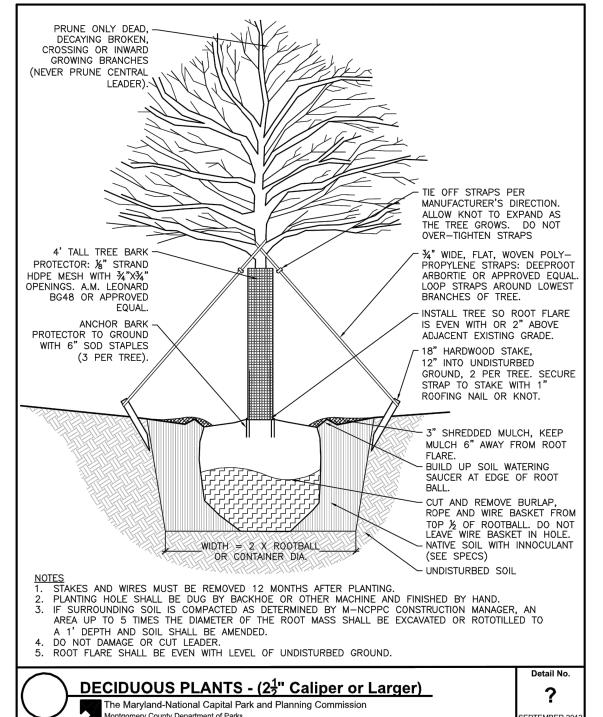
2. APPLY SPECIFIED SEED MIX AT $\frac{1}{2}$ LB./ 1000 SF

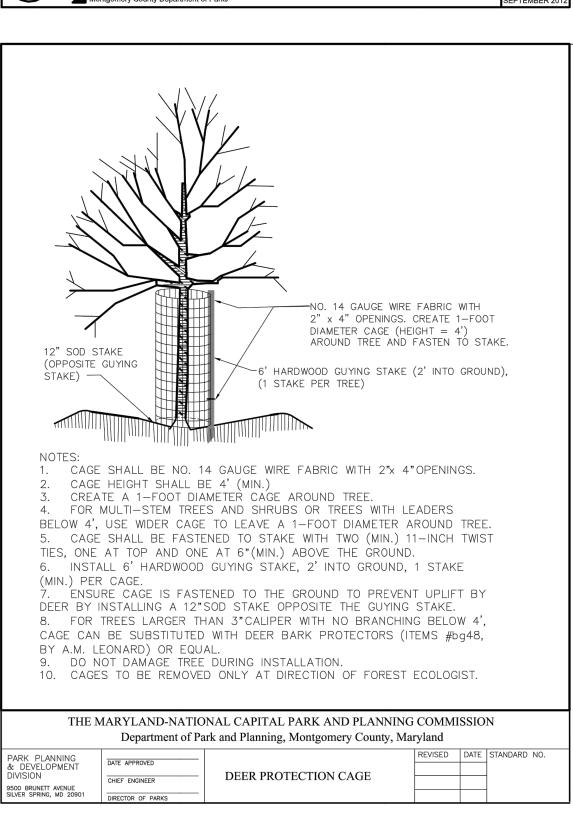
TESTING ASSURANCE PROGRAM.

- 3. PLACE CERTIFIED WEED FREE STRAW ALL OVER AREAS THAT DO NOT HAVE EXCELSIOR MAT
- 4. RESEED ALL AREAS WITH LESS THAN 80% GERMINATION.
- 5. INSTALL A WATER BAG ON ALL TREES FOR THE FIRST FULL GROWING SEASON
- 6. WATER ALL PLANTS ON AN AS NEEDED BASIS FOR THE FIRST FULL GROWING SEASON.

TREE AND SHRUB REQUIREMENTS:

- 1. MNCPPC DEER PROTECTION DEER PROTECTION SHALL BE PROVIDED FOR BOTH TREES AND SCHRUBS. IT IS WIRE CAGE.
- 2. WHERE PRECISE TREE OR SHRUB PLANTING LOCATION NOT SPECIFICALLY CALLED OUT ON PLANTING PLAN: 1.5-2" CALIPER TREES PLANTED AT A DENSITY OF 100 TREES PER ACRE, SPACED 20 FEET "OFF CENTER"; SHRUB PLANTING OF 18-24 INCH HEIGHT SHRUBS AT A DENSITY OF 33 PER ACRE SHALL BE DISTRIBUTED EVENLY AMONG TREES.





NON-NATIVE INVASIVE SPECIES REQUIREMENTS:

-BITTERSWEET (CELASTRUS ORBICULATUS)

-MILE A MINUTE (PERSICARIA PERFOLIATA)

INVASIVES," JANUARY 2015, OR MOST RECENT VERSION.

REFER TO SPECIFICATION 1311-01 - WEED CONTROL, FOR REMOVAL OF

NON-NATIVE INVASIVE SPECIES WITHIN THE LIMIT OF DISTURBANCE. THE

AND HERBICIDE APPLICATION IN THE M-NCPPC DEPARTMENT OF PARKS

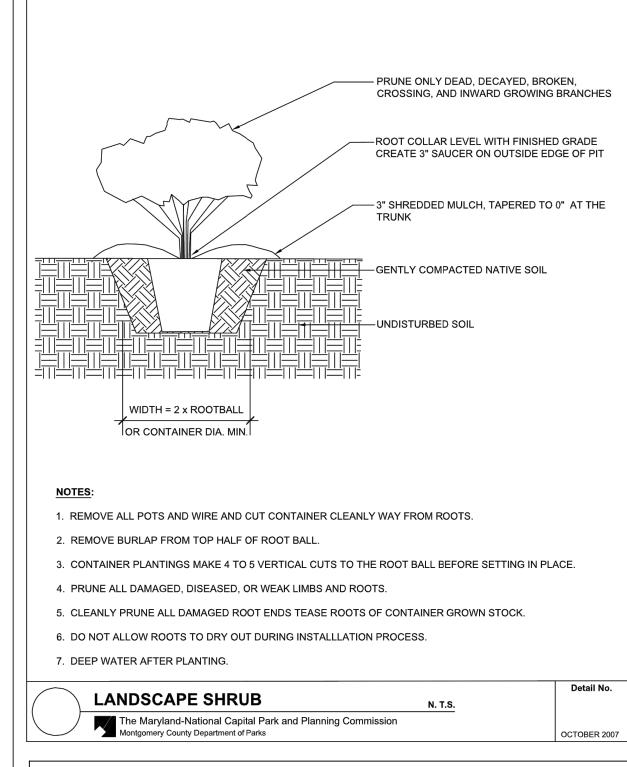
DOCUMENT, "BEST MANAGEMENT PRACTICES FOR CONTROL OF NON-NATIVE

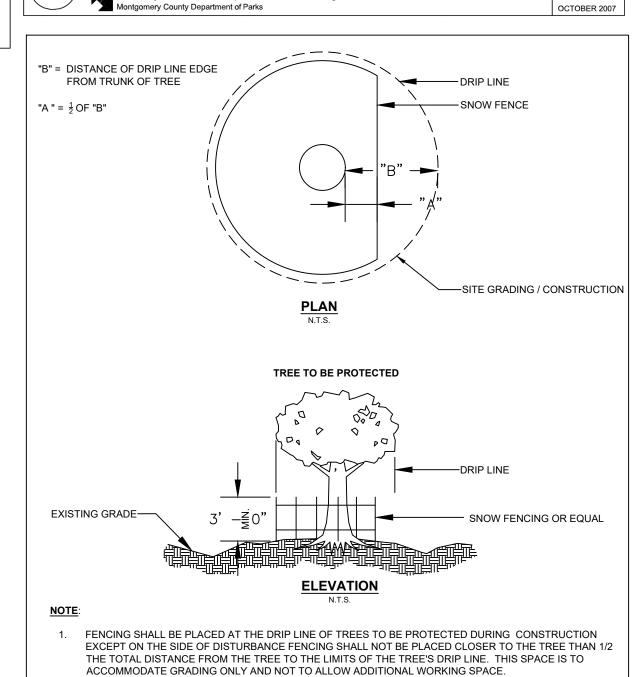
THE CONTRACTOR MUST FOLLOW THE GUIDELINES FOR INVASIVE PLANT CONTROL

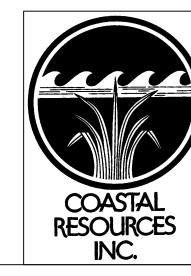
FOLLOWING SPECIES WERE IDENTIFIED AS INVASIVE BY M-NCPPC,

-PORCELAINBERRY (AMPELOPSIS BREVIPEDUNCULATA)

-JAPANESE HONEYSUCKEL (LONICERA JAPONICA)







2. GROUP OF TREES MAY BE FENCED AS ONE.

TREE PROTECTION DETAIL

Detail No

The Maryland-National Capital Park and Planning Commission

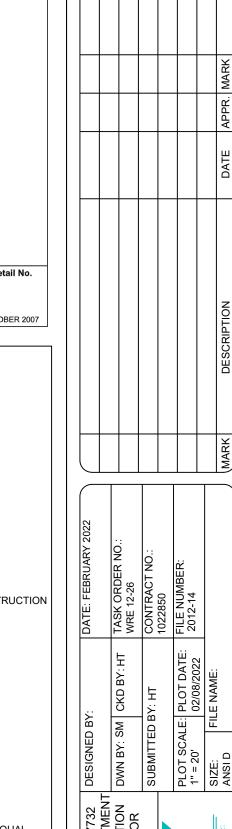
Iontgomery County Department of Parks

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QUALIFIED PROFESSIONAL STATUS 2013

HEATHER TATONE DATE
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ANNAPOLIS, MD 21401

WRE 12 - TASK ORDER 27
STREAM RESTORATION PROJECT
GROSVENOR-LUXMANOR-ROCK CREEK WATERSH
NORTH BETHESDA, MARYLAND
GROSVENOR - LUXMANOR STREAM
RESTORATION PROJECT FOREST

FCP AMENDMENT SHEET 11 OF 11 213NW05



DEPARTMENT OF

PROTECTION

ENVIRONMENTAL

ATTACHMENT C



December 27, 2021

Mr. Mark Pfefferle The Maryland-National Capital Park and Planning Commission Environmental Planning Division 2425 Reedie Drive, 14th Floor Wheaton, MD 20910

Subject: Variance Request

Project: Forest Conservation Plan Amendment (81996023)

WRE12-27 Grosvenor-Luxmanor Stream Restoration Project

Dear Mr. Pfefferle:

On behalf of the Montgomery County Department of Environmental Protection (DEP) we are submitting this variance request in accordance with Section 22A-21(b) of the Montgomery County Forest Conservation Law, for the above referenced stream restoration project. A total of two (2) specimen trees may be impacted by the project (see **Table 1**) and a variance is being requested to potentially remove both of those trees, which have significant critical root zone (CRZ) impacts (>30 percent). All efforts will be made to protect and save these two trees therefore a variance is only being requested in case removal is deemed necessary by the inspector/certified arborist at the time of construction.

			Table 1- Specimen	Tree In	pacts	
	Tree ID	Scientific Name	Common Name	DBH	Condition	Critical Root Zone Impact %
REMOVE*	607G	Liriodendron tulipifera	Tuliptree	30	Good	67
REMOVE*	610G	Quercus rubra	Northern red oak	32	Good, undermined	70

*All attempts should be made to protect and preserve these trees but due to potential damage to the critical root zones, the forest conservation inspector and/or contractors arborist will ultimately determine the removal/save status of these trees.

a.) Describe the special conditions peculiar to the property which would cause the unwarranted hardship. The project area was identified for stream restoration by the DEP, as outlined in the Montgomery County Coordinated Implementation Strategy, to meet the requirements of Montgomery County's MS4 Permit. The project limits of disturbance (LOD) were designed to avoid impacts to trees and wetlands as much as possible while still providing sufficient access for construction. While impacts were reduced and avoided in many locations, they could not be completely avoided because of the need to provide adequate access to the stream channel for restoration and stabilization measures to accomplish the project goals.

b.) Describe how enforcement of this chapter will deprive the landowner of rights commonly enjoyed by others in similar areas.

Comparable stream restoration projects have been completed by other state, federal, and local agencies designed to improve water quality and riparian habitat in the state.

c.) Verify that State water quality standards will not be violated and that a measurable degradation in water quality will not occur as a result of granting the variance.

The variance will not violate state water quality standards or cause measurable degradation in water quality. The proposed stream restoration will have an approved sediment and erosion control plan and will not violate any state water quality standards. The goals of the stream restoration project are water quality improvements including channel sediment yield reduction, long-term stream bed and bank stabilization, floodplain reconnection, increased groundwater recharge, increased flow attenuation, and storm drain outfall/end of pipe improvements. In addition, ecological improvements are anticipated which include aquatic and riparian habitat enhancement, resident fish passage enhancement, riparian buffer restoration, and ecological function uplift.

d.) Provide any other information appropriate to support the request.

Multiple days of field walks were done with Laura Miller, DEP's Forest Conservation Coordinator, AMT designers and DEP staff. AMT and DEP walked each to agree or disagree on all proposed tree takes within the LOD. After the walk, the tree removal list was finalized based on the design impacts and safety of pedestrians and the future construction crews. After these walks, it was decided to include LOD islands within the project limits to ensure minimal impacts to mature trees away from work or access paths. Access Paths were optimized to avoid unnecessary tree takes where the design allowed. Trees within fill conditions were saved in most cases. Tree protection fencing and tree planking will be installed where necessary. Root pruning will occur under the supervision of a certified arborist. The forest conservation inspector and/or the contractor's arborist will ultimately determine whether these trees need to be removed.

Please contact me at 443-837-2146 or heathert@cri.biz, if any additional information is required.

Sincerely,

Heather Tatone Senior Environmental Scientist

Heather Tatone

Coastal Resources, Inc.