

# Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

JAN 13 2023

MCPB No. 23-001  
Forest Conservation Plan No. H-147  
White Oak Self Storage  
Date of Hearing: January 5, 2023

## RESOLUTION

WHEREAS, under Montgomery County Code Chapter 22A, the Montgomery County Planning Board is authorized to review forest conservation plan applications; and

WHEREAS, on May 18, 2022, White Oak Storage Owner, LLC (“Applicant”) filed an application for approval of a forest conservation plan on approximately 2.61 acres of land located at 11105 New Hampshire Avenue (“Subject Property”) in the 2014 *White Oak Science Gateway Master Plan* (“Master Plan”) area; and

WHEREAS, the Applicant’s forest conservation plan application was designated Forest Conservation Plan No. H-147, White Oak Self Storage (“Forest Conservation Plan” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board Staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board dated December 2, 2022, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on January 5, 2022, the Planning Board held a public hearing on the Application and approved the Application subject to certain conditions, by motion of Commissioner Hill, seconded by Commissioner Branson, with a vote of 5-0; Chair Zyontz, Vice Chair Presley, Commissioners Branson, Hill and Piñero voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Forest Conservation Plan No. H-147 on the Subject Property, subject to the following conditions:<sup>1</sup>

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<sup>1</sup> For the purpose of these conditions, the term “Applicant” shall also mean the developer, the owner, or any successor in interest to the terms of this approval.

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Approved as to  
Legal Sufficiency: /s/ Allison Myers  
M-NCPPC Legal Department

1. A Final Forest Conservation Plan must be submitted and approved concurrently with Site Plan approval.
2. The Final Forest Conservation Plan must be consistent with the Preliminary Forest Conservation Plan.
3. The Final Forest Conservation Plan must include all areas of off-site disturbance in worksheet calculations.
4. No demolition, clearing, or grading is permitted prior to Final Forest Conservation Plan approval.

BE IT FURTHER RESOLVED that having given full consideration to the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A, and ensures the protection of environmentally sensitive features.*

A. Forest Conservation

The Board finds that as conditioned, the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law ("FCL"). As required by Chapter 22A, a Preliminary Forest Conservation Plan ("PFCP") was submitted with this Local Map Amendment ("LMA") application.

The total net tract area for forest conservation purposes is 2.62 acres. The Property is proposed for the CRTF-2.5, C-2.25, R-1.5, H-200 zone, and the use is classified as Commercial and Industrial Uses ("CIA") as defined in Section 22A-3 of the FCL and specified in the Trees Technical Manual. The Site does not contain any forest. However, there is a 0.39-acre afforestation requirement as calculated in the Forest Conservation Worksheet, as determined by the property size and 15% afforestation threshold. The afforestation requirement will be met off-site in a forest bank or by payment of fee-in-lieu.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Planning Board in this matter, and the date of this Resolution is JAN 13 2023 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Hill, seconded by Commissioner Branson, with a vote of 4-0; Chair Zyontz, and Commissioners Branson, Hill, and Piñero, voting in favor of the motion, Commissioner Presley necessarily absent, at its regular meeting held on Thursday, January 12, 2023, in Wheaton, Maryland and via video conference.

  
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Jeffrey Zyontz, Chair  
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