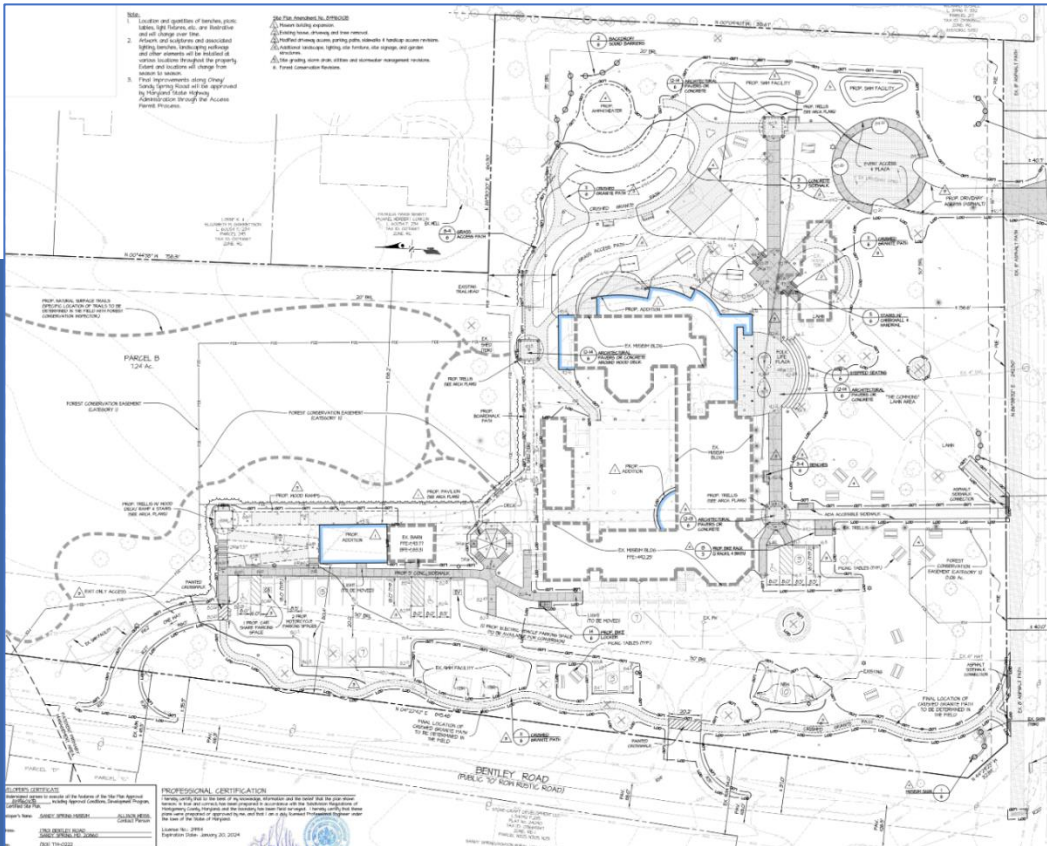


# SANDY SPRING MUSEUM PRELIMINARY PLAN & SITE PLAN AMENDMENTS NO. 11996032B & 81996010B



## Description

Request to amend Preliminary Plan No. 11996032B and Site Plan No. 81996010B concurrently to allow up to 23,200 square feet of development for the Sandy Spring Museum.

No. 11996032B & 81996010B  
Completed: 4-14-2023

MCPB  
Item No. 7  
4-27-2023

Montgomery County  
Planning Board  
2425 Reedie Drive, Floor 14  
Wheaton, MD 20902

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### LOCATION/ADDRESS

17901 Bentley Road, Sandy Spring, MD

### MASTER PLAN

2015 *Sandy Spring Rural Village Plan*

### ZONE

RC Zone

### PROPERTY SIZE

7.24 acres

### APPLICANT

The Sandy Spring Museum

### ACCEPTANCE DATE

December 20, 2022

### REVIEW BASIS

Chapters 50, 59, and 22A, and the Zoning Ordinance in effect on October 29, 2014



### Summary:

- Staff recommends approval with conditions of the Preliminary Plan and Site Plan Amendment applications.
- The Preliminary Plan and Site Plan Amendments will allow the Applicant to expand the Sandy Spring Museum with up to 23,200 square feet of associated uses on one lot.
- The Amendment will also include access modifications, additional landscaping and lighting, revised grading and stormwater facilities, and a revised Forest Conservation Plan.
- Per section 59-7.7.1.B.3, the proposed Site Plan Amendment is being reviewed under Zoning Ordinance in effect on October 29, 2014. The Amendment does not alter the intent, objectives, or requirements of the Planning Board in approving the Site Plan.
- One letter expressing concerns and requesting information, was received from a community member.

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## SECTION 1: RECOMMENDATIONS AND CONDITIONS

### PRELIMINARY PLAN AMENDMENT

Staff recommends approval with conditions of Preliminary Plan Amendment 11996032B to increase the maximum square footage of the Sandy Spring Museum and associated uses from 12,500 to 23,200 square feet. All site development elements shown on the latest electronic version of the Preliminary Plan No. 11996032B as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions, which supersede all previous conditions:

#### GENERAL APPROVAL

1. This Preliminary Plan is limited to one (1) lot for 23,200 square feet of cultural institution use.

#### ADEQUATE PUBLIC FACILITIES AND OUTSIDE AGENCIES

2. The Adequate Public Facilities (“APF”) review for the Preliminary Plan will remain valid for ten (10) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5), with up to 18,800 square feet of development anticipated in the first five years for Phase I and up to 23,200 square feet of development anticipated in the remaining five years for Phase II.

#### OUTSIDE AGENCIES

3. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated March 20, 2023 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
4. Before the issuance of access permits, the Applicant must satisfy the Maryland State Highway Administration’s requirements for access and improvements.
5. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”) – Water Resources Section in its stormwater management concept letter December 13, 2022 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
6. The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated March 13, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

#### OTHER APPROVALS



7. Before any demolition, clearing or grading for the Subject Property, the Applicant must receive Staff certification of any subsequent Site Plan(s) associated with this Preliminary Plan. The number and location of site elements including but not limited to buildings, on-site parking, site circulation, sidewalks and sidepaths is determined through site plan review and approval.
8. If an approved site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan amendment.

#### CERTIFIED PRELIMINARY PLAN

9. The certified Preliminary Plan must contain the following notes:
  - a) Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.
10. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
  - a) Show resolutions and approval letters on the certified set

## SITE PLAN AMENDMENT

Staff recommends approval of Site Plan Amendment No. 81996010B to 1) expand the museum building to 18,800 square feet; 2) remove the existing house and driveway; 3) modify driveway access, parking, pathways, sidewalks, and handicap access; 4) add landscaping, lighting, site furniture, site signage, and garden structures; 5) revise the grading, storm drain, utilities, and stormwater management facilities; and 6) revise the Final Forest Conservation Plan.

The development must comply with the conditions of approval for Preliminary Plan Amendment No. 11996032B. All site development elements shown on the latest electronic version of the Site Plan, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions. The following conditions are in addition to all other conditions, which remain in full force and effect:

### GENERAL APPROVAL

11. This Site Plan is limited to 6,300 square feet of new improvements to the museum building, for a maximum of up to 18,800 square feet, which, due to funding, is not expected to be constructed all at one time.

12. Height

The development is limited to a maximum height of 35 feet for the tallest building, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

### ENVIRONMENT

13. Forest Conservation

- a) 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.
- b) The Limits of Disturbance (“LOD”) shown on the Final Forest Conservation Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.
- c) The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan and recommended in the arborist report that is being required by a separate condition of approval for this Application. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
- d) Before any disturbance to the critical root zone of Trees 6, 12, 14, and 25, the Applicant must provide a report from a certified arborist detailing the tree protection measures recommended to protect and minimize disturbance for each of these trees. The

recommendations must be implemented under the direction of a Licensed Tree Expert and the M-NCPPC Forest Conservation Inspection Staff.

- e) Before the start of any demolition, clearing, grading, or construction, whichever comes first, for this development Application, the Applicant must:
  - i. Install permanent conservation easement signage along the perimeter of the conservation easements as needed and determined under the direction of the M-NCPPC Forest Conservation Inspection Staff.
  - ii. Remove the shed from within the existing conservation easements. The removal of the shed must be done under the direction of the M-NCPPC Forest Conservation Inspection Staff.
  - iii. Execute a five-year Maintenance and Management Agreement (“MMA”) in a form approved by the M-NCPPC Office of the General Counsel. The MMA is required for all mitigation tree plantings, including variance tree mitigation tree plantings.
  - iv. Submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department for the mitigation trees and maintenance, including invasive species management controls, credited towards the requirements of the FCP.
- f) Within the first planting season following the release of the first Sediment and Erosion Control Permit from the Montgomery County Department of Permitting Services for the Subject Property, or as directed by the M-NCPPC Forest Conservation Inspection Staff, the Applicant must install the variance tree mitigation plantings on the Subject Property as shown on the approved Final Forest Conservation Plan. The variance mitigation plantings must be a minimum size of 3 caliper inches totaling at least 46 caliper inches, as shown on the approved Final Forest Conservation Plan. Adjustments to the planting locations of these trees is permitted with the approval of the M-NCPPC Forest Conservation Inspection Staff. Trees provided through the Montgomery County Tree Montgomery Program may not be used to meet the mitigation requirements of the Forest Conservation Plan.
- g) The proposed newly constructed portion of the natural surface trail within the conservation easement must be a dirt trail. The final alignment of the trail must be determined in consultation with the M-NCPPC Forest Conservation Inspection Staff prior to installation of the trail. Any existing, unauthorized trails not shown on the approved Final Forest Conservation Plan or as determined by the M-NCPPC Forest Conservation Inspection Staff, must be removed/restored.

## TRANSPORTATION & CIRCULATION/ADEQUATE PUBLIC FACILITIES (APF)

### 14. Transportation

- a) The Planning Board has reviewed and accepts the recommendations of the MCDPS, Right-of-Way Section (MCDPS-ROW) in its memo dated February 27<sup>th</sup>, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the

recommendations in the memo, which MCDPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

- b) Prior to issuance of the first Use and Occupancy Permit, the Applicant must construct a ten (10) foot wide sidepath, except a minimum of eight (8) feet is acceptable when necessary to preserve the existing trees along MD 108. Final width and alignment to be determined at permitting.

15. Fire and Rescue

The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated March 13, 2023 and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

SITE PLAN

16. Site Design

- a) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheet A201 of the submitted architectural drawings, as determined by M-NCPPC Staff.

17. Lighting

- a) Before certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c) Deflectors will be installed on all fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles at the lot line, excluding areas impacted by street lights within the right-of-way.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

18. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved before the approval of the Certified Site Plan.

19. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

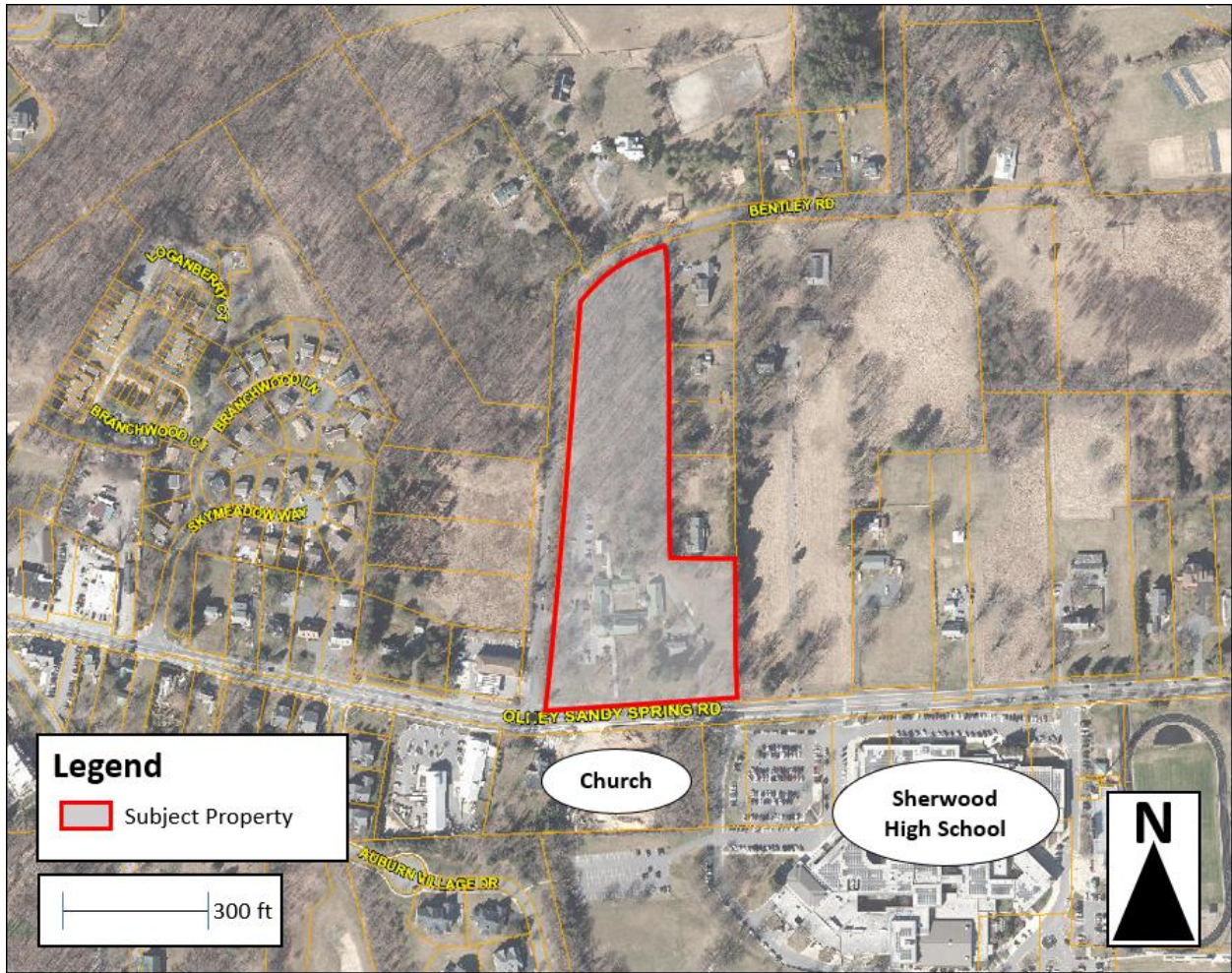
- a) Include the stormwater management concept approval letter, development program, and both Preliminary Plan and Site Plan resolutions on the approval or cover sheet(s). b) Add the following notes:
  - i. “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
  - ii. “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
  - iii. “The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times.”
- b) Include Fire and Rescue Access plan in the Certified Site Plan.
- c) Modify data table to reflect development standards approved by the Planning Board.
- d) Ensure consistency of all details and layout between Site and Landscape plans.

## SECTION 2: SITE DESCRIPTION

### VICINITY

The Subject Property (“Property”) is a platted lot with an existing museum in the northeastern quadrant of the intersection of Olney Sandy Spring Road (MD 108) and Bentley Road in Sandy Spring (Figure 1). South of MD 108 is Olive Branch Community Church and east of the church is Sherwood High School.





*Figure 1 – Aerial View of the Subject Property*

The properties immediately to the east of the Property are zoned Rural Cluster (RC) (Figure 2), generally comprised of large, low-density lots developed with single-family detached houses. To the west and south of the Subject Property, there is a mix of RC, RE-1 (Residential Estate-1), CRN (Commercial Residential Neighborhood), and RE-2 (Residential Estate-2) zoned lots. In the northwest quadrant of the intersection is an existing gas station, zoned CRN-0.5, C-0.5, R-0.5, H-40. The three large lots to the west of the Subject Property also include the Sandy Spring/Ashton Rural Village Overlay Zone.

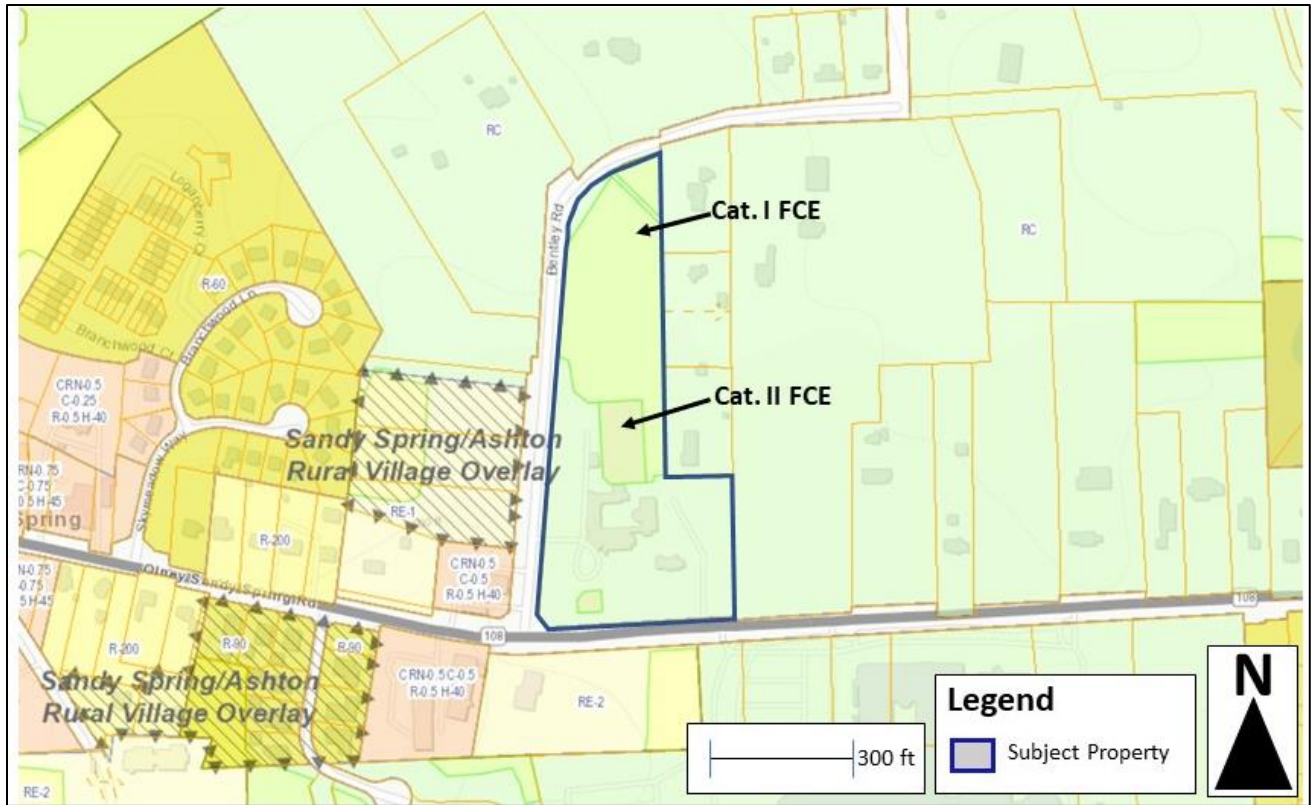


Figure 2 – Subject Property Zoning and Forest Conservation Easements

## PROPERTY DESCRIPTION

The Property is platted Parcel B as identified on Record Plat No. 23420 and comprised of approximately 7.24 acres (315,341 square feet) of land zoned RC. The Property is in the 2015 *Sandy Spring Rural Village Plan* area (“Master Plan”). The Subject Property is currently improved with the existing Sandy Spring Museum, which is 12,311 square feet of development with an approved total of a maximum of 12,500 square feet of building allowed by the existing Preliminary Plan. The existing Property includes a residence (to be demolished) and barn, which are not included in the 12,500 square foot allowance.

The Property is located within the Hawlings River watershed, a tributary to the Patuxent River, which is classified by the State of Maryland as Use IV-P waters. The Property includes approximately 3.5 acres of forest in the northern portion of the Property along Bentley Road. This forest is currently protected in Category I and Category II Conservation Easements. There is an additional Category II Conservation Easement, approximately 3,000 square feet in size, located in the southern portion of the Property, adjacent to Olney-Sandy Spring Road. The Property does not contain any streams, wetlands, 100-year flood plain, stream buffers, steep slopes, highly erodible soils, or other environmentally sensitive features. A portion of the Property is located within the Patuxent River Primary Management Area (“PMA”) due to its proximity to an off-site stream; however, this portion of



the Property is within existing forest protected via a Category I Conservation Easement. There is no development existing or proposed, including impervious surfaces, within the PMA on the Subject Property. No historic resources or cemeteries are known to exist on the Property; however, there is a historic home, “Cloverly” (M-28-65) on abutting Parcel 217 to the east.

## SECTION 3: PROJECT DESCRIPTION

### PREVIOUS APPROVALS

#### Preliminary Plan No. 119960320

On April 22, 1996, by mailed opinion, the Planning Board approved Preliminary Plan No. 119960320, Sandy Spring Museum, to create one lot on 7.09 acres of land and allow for a maximum of 9,000 square feet of Museum in the RC zone. (Attachment A)

#### Site Plan No. 819960100

On April 22, 1996, by mailed opinion, the Planning Board approved Site Plan No. 819960100, Sandy Spring Museum, to construct an 8,513 square foot Museum. (Attachment A)

#### Preliminary Plan Amendment No. 11996032A

On June 2, 2005, the Planning Board approved Preliminary Plan No. 11996032A, Sandy Spring Museum, to increase the maximum square footage allowed for the Museum from 9,000 to 12,500 square feet. This Amendment included a Preliminary Forest Conservation Plan that established approximately 3.5 acres of protected forest in the northern section of the Property within Category I and II Conservation Easements, and an additional tree cover area of approximately 3,000 square feet with a Category II Conservation Easement in the southern portion of the Property, adjacent to Olney-Sandy Spring Road. (Attachment A)

#### Site Plan Amendment No. 81996010A

On June 2, 2005, the Planning Board approved Site Plan No. 81996010A, Sandy Spring Museum, to expand the Museum with a 3,500 square foot addition on the east and north sides of the existing Museum, which increased the maximum square footage allowed from 9,000 to 12,500 square feet. This Amendment included a Final Forest Conservation Plan that in conjunction with the Preliminary Plan Amendment 11996032A, established the protected forest and tree cover in Category I and Category II Conservation Easements. (Attachment A)

### PROPOSAL

On September 6, 2022, the Sandy Spring Museum (“Applicant”) filed Preliminary Plan Amendment No. 11996032B (Attachment B) and Site Plan Amendment No. 81996010B (Attachment B), collectively referred to as Amendments (“Amendments”) for approval of the following modifications:

1. Increase maximum development allowed from 12,500 to 23,200 square feet.
2. Remove a wing of the museum, the existing house, and driveway.
3. Modify driveway access, parking, pathways, sidewalks, and handicap access.
4. Add landscaping, lighting, site furniture, site signage, and garden structures.
5. Revise the grading, storm drain, utilities, and stormwater management facilities.
6. Revise the Final Forest Conservation Plan, including a Tree Variance request, to reflect the proposed limits of disturbance.

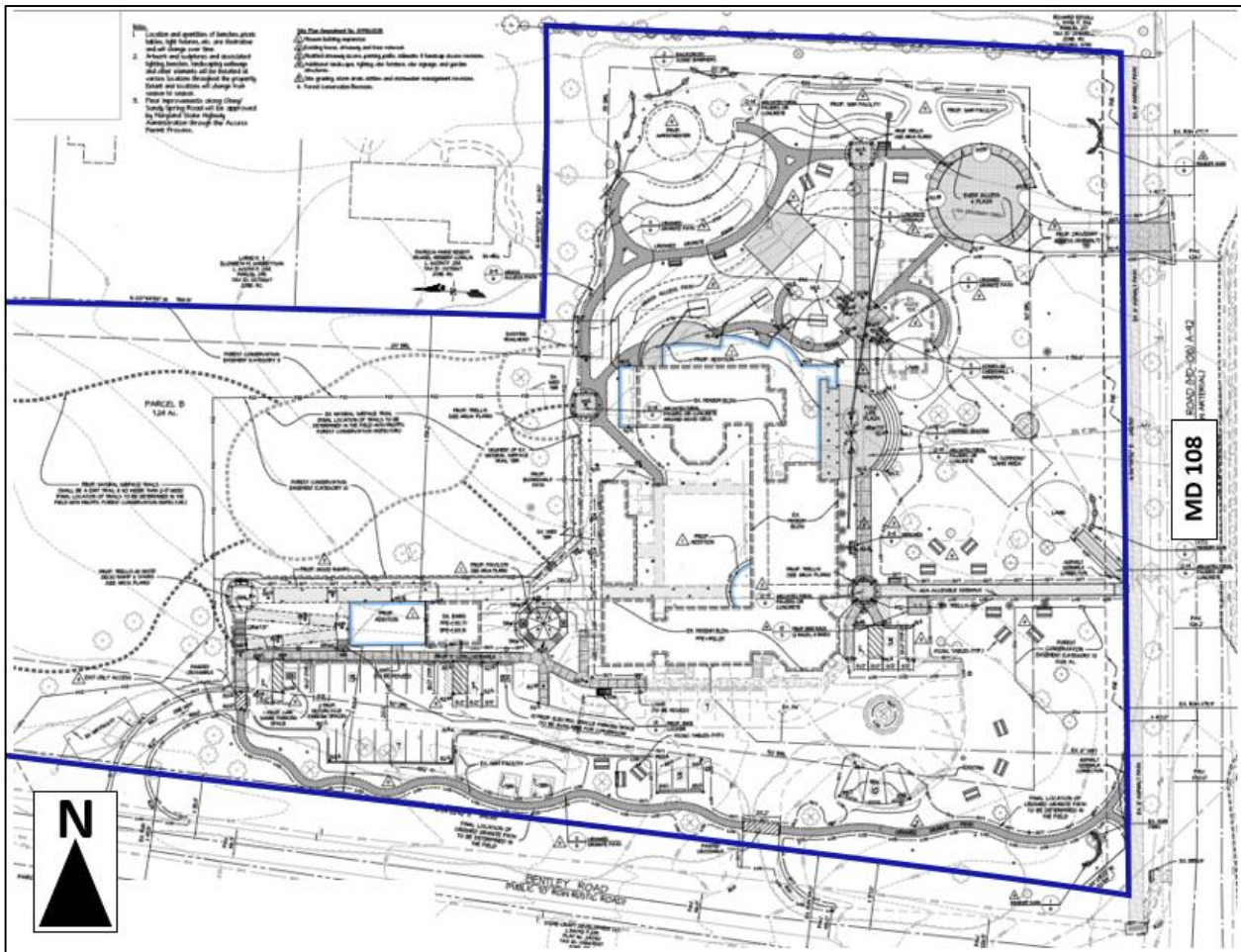


Figure 3 – Amended Site Plan

Preliminary Plan Amendment No. 11996032B (“Preliminary Plan Amendment”), proposes an increase in the total square footage permitted from 12,500 to 23,200 square feet, which will be implemented in two phases. Site Plan Amendment No. 81996010B (“Site Plan Amendment”) shows Phase 1, which includes a total of 18,800 square feet of development and removing approximately 188 square feet from the existing museum building, razing the existing single-family detached house, adding 6,300

square feet of improvements, additional parking, altered driveway access, additional landscaping features and lighting, and improved pedestrian connectivity. The amenities included as part of the Phase 1 expansion include new Artist Studios, Lobby area expansion, a new Folklife area, and additional storage. The remaining 4,400 square feet square approved by the Preliminary Plan Amendment will be realized in Phase 2 which will require a future site plan amendment before implementation. The Phase 2 portion will provide additional museum expansion for future programming. The updates for the Amendments will cumulatively result in an improved aesthetic and functional experience for the users and occupants of the space.

This Application was reviewed under the Zoning Code in effect on October 29, 2014, because the Site Plan Amendment qualifies for an exemption under section 59-7.7.1.B.3 of the Zoning Code. This portion of the Code addresses Amendments for plans approved or pending before October 30, 2014. Section 7.7.1.B.3.a states that until October 30, 2039, an Applicant may apply to amend any previously approved application under the development standards and procedures of the property's zoning on October 29, 2014, subject to certain limitations.

#### **SECTION 4: COMMUNITY CORRESPONDENCE**

The Applicant held a pre-submittal public meeting on November 29, 2022, related to the Preliminary and Site Plan Amendments. The meeting was conducted virtually per COVID-19 Guidelines and has complied with all submittals and noticing requirements. In addition to the required public meeting, the Applicant has conducted additional outreach.

As of date of this Staff Report, staff have received one letter of correspondence from the community (Attachment D). The community member expressed concern regarding stormwater runoff from the Property, particularly along Bentley Road, and how this runoff is impacting their property. The letter included concerns about additional impervious surface for the path proposed parallel to Bentley Road and whether or not it is in character with this designated Rustic Road. There were also concerns about existing and proposed trails through the Category I forest conservation easement and the loss of trees within the forest due to disease and development, and whether additional trees could be planted on the Sandy Spring Museum Property. Lastly, there were concerns around the proposed performance space and possible noise issues in the northeast corner of the Property.

Staff forwarded the correspondence to the stormwater management plan review staff at MCDPS, and they have corresponded directly with the community member regarding the concerns related to stormwater runoff and drainage. Staff has received an approved stormwater management concept letter from MCDPS dated December 13, 2022 (Attachment C). The Applicant is proposing two landscape infiltration facilities and three drywells to mitigate stormwater issues. Staff informed the community member that the proposed path along Bentley Road is located outside of the right-of-way of Bentley Road and will provide pedestrian movement within the Museum's property. Staff has

worked with the Applicant on the design of the path to ensure it fits well within the character of the area. It is designed as a serpentine path comprised of crushed granite material with tree plantings.

Staff responded directly to the community member to address the concerns related to the trails within the conservation easements, tree plantings, the proposed pedestrian path along Bentley Road, and the concerns about noise from the proposed performance space on a neighboring property. As part of the environmental review, Staff has coordinated with the Applicant, and they are now proposing a modest 3-foot-wide natural surface trail that loops through the Conservation Easement. The limited width of the trail prevents the need to remove additional trees. Natural surface trails are allowed in Category I Conservation Easements if prior approval is granted. This trail will provide access to this natural area in an alignment that is approved as appropriate for the easement. Regarding the tree loss within forested areas of the Property, the forest on the Property is protected by existing conservation easements. These easements protect the forest as a natural sustainable ecosystem. Tree removals are not permitted without prior permission and then only for those that pose a hazard of some sort. Woody materials, including fallen trees, branches and leaf litter will remain, providing habitat for wildlife and insects. These features are all important to the healthy functioning forest. There will be additional individual trees planted on the Property as part of this Application.

The current plans show the proposed performance center further from the neighboring property than was depicted on the initial submittal. In addition, the performance space is buffered from neighboring properties with 35 feet of vegetation and four large sound barriers. These measures will sufficiently address the concerns about tree loss and noise.

## SECTION 5: PRELIMINARY PLAN FINDINGS AND ANALYSIS

Preliminary Plan Amendment No. 11996032B requests to increase the total building square footage to 23,200 square feet in two phases. The proposed Preliminary Plan Amendment does not alter the intent of the previous findings, which remain applicable, except as modified below.

- 1. The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.***

The Subject Property is a platted Parcel B identified on Record Plat No. 23420. The existing parcel is subject to the conditions of Preliminary Plan No. 119960320 and 11996032A, all of which have been satisfied. As part of this Preliminary Plan Amendment, the Applicant is increasing the existing square footage with no change in use. No additional right-of-way dedication is required for Bentley Road or MD 108 because both roads have fully dedicated the master-planned widths.

The lot size, width, shape, orientation, density, and location remain appropriate with the expansion of the museum use, consistent with master plan recommendations. The lot continues to comply with the dimensional requirements for the RC Zone as specified in the Zoning Ordinance. See Table 1 in the Site Plan findings for more details.

**2. *The Preliminary Plan substantially conforms to the master plan.***

Based on the following analysis, the Preliminary Plan substantially conforms to the 2015 *Sandy Spring Village Area Plan* (“Master Plan”). The Master Plan divides the area into three neighborhoods: the Village Core Neighborhood (western portion of the area), the Residential Neighborhood (middle portion of the area), and the Cultural Neighborhood (eastern portion of the area). The 2015 Sandy Spring Rural Village Plan includes planning and land use, buildings, connections, open space, and specific property recommendations for the three neighborhoods. The Master Plan also has specific plan recommendations for each site in a neighborhood. The Sandy Spring Museum is located along the northeastern edge of the Master Plan area in the Cultural Neighborhood. Some of the relevant recommendations discussed below are not typically part of preliminary plan review, such as landscaping and building design. However, they will be implemented by the Site Plan Amendment, as described later in this report.

The Master Plan states that “the Cultural Neighborhood is a part of the continuation of the rural edge described in the 1998 *Sandy Spring Plan*. This neighborhood, which includes the Sandy Spring Museum, Olive Branch Community Church Rectory and Christopher’s Hardware Store, has cultural and institutional uses. The museum is fronted by an open space used on occasions for community events.”

The pertinent Master Plan recommendations for the museum are as follows:

Planning and Land Use Recommendations Section (page 33 of the Master Plan):

- Encourage tree planting along Bentley Road.
- Encourage the use of the museum’s open space along MD 108.
- Provide pedestrian connections to institutions.

The Master Plan recommends the preservation of the rural edge as it is an important aspect of the area’s character. With the proposed Amendments, additional landscaping will be provided along Bentley Road that preserves the rustic character of the road and helps to mark the entrance to the museum. The open space of the museum will be enhanced with additional programmed gathering areas. New pathways will be installed to provide pedestrian connections from MD 108 to the museum and to new gathering spaces on the museum grounds.

Building Recommendations (page 33):

- Replicate the idea of the rural edge with varying building setbacks from the right-of-way and large front yard trees that have the potential to arch over the road, creating a tree-lined gateway.
- Design new buildings at one to three stories in height

The existing museum is set back a significant distance from the MD 108 right-of-way. The museum additions extend the existing building to the east, maintaining the existing building setback, and preserving the open space along MD 108. The additions will be one-story in height.

#### Open Space Recommendations (page 33)

- Support open space activities on the existing green in front of the Sandy Spring Museum in Area 8, which has been the location of regional/ community functions, such as the Strawberry Festival and farmer’s market.

The primary open space in the Cultural Neighborhood is the green in front of the Sandy Spring Museum. This green is the site of several cultural activities, including the Strawberry Festival held annually in June. The space will be enhanced with additional gathering spaces such as spaces for Folk Life Events, and events in the Square Plazas and the Amphitheater. The plazas and amphitheater will be connected to one another and to the sidepath on MD 108 through new concrete and crushed granite paths.

#### Specific Property Recommendations (the Sandy Spring Museum page 35)

- Support the cultural institution and its large, protected forested areas.

The existing brick house on the museum site will be demolished and the land will be incorporated into the front gathering space for the museum. The protected forested areas will be maintained even with the proposed additions.

The Subject Property is located on a large corner lot bounded by Olney-Sandy Spring Road to the south and Bentley Road to the west. Per the 2021 *Complete Streets Design Guide* (CSDG), Olney-Sandy Spring Road is designated as a Country Connector with approximately 40-feet of right-of-way dedication (for a total of 80-feet). Bentley Road is designated as a Rustic Road, with 35-feet of right-of-way dedication (for a total of 70-feet). This plan has been coordinated with the Rustic Roads Advisory Committee and conforms with the Rustic Roads Functional Master Plan.

Per the 2018 *Bicycle Master Plan*, a sidepath is recommended for Olney-Sandy Spring Road. External pedestrian circulation is achieved via an existing buffered 8-foot sidepath on the property’s frontage along Olney-Sandy Spring Road. The maximum and minimum widths for a sidepath on a Country Connector are 10 feet and 8 feet respectively, as dictated by the CSDG.

Street buffer widths are limited to between 10 and 15 feet for this road typology, of which the applicant has met the required with for both sidepaths and street buffers.

**3. *Public facilities will be adequate to support and service the area of the subdivision.***

Adequate public facilities exist to serve the proposed development and area of the subdivision.

Adequate public facilities exist to support and service the Property in accordance with Section 50.4.3.J of the Subdivision Regulations. The Property is in the Rural East Policy Area, which is categorized as a Green Policy Area under the 2020 – 2024 *Growth and Infrastructure Policy* (“GIP”). As demonstrated via the Applicant’s Traffic Exemption Statement, dated June 20<sup>th</sup>, 2022, the proposed Site Plan Amendment generates fewer than 50 peak-hour person trips and is therefore satisfies the Local Area Transportation Review (LATR) under the GIP without further review. Therefore, roads and transportation facilities are adequate to support the Application. Currently, a buffered 8-foot sidepath exists along the frontage of the Subject Property, which is consistent with recommendations outlined in the 2021 *Complete Streets Design Guide*. The Applicant must construct a ten (10) foot wide sidepath, except a minimum of eight (8) feet is acceptable when necessary to preserve the existing trees along MD 108. Once the sidepath width is determined at permitting, roads and transportation facilities will be adequate to support the Application.



Table 1: Trip Generation Summary

<b>ITE Trip Generation</b>						
Development	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
<b>Existing Museum</b>						
<b>ITE Trips</b>	<b>4</b>	<b>1</b>	<b>5</b>	<b>0</b>	<b>3</b>	<b>3</b>
<b>Auto Driver</b>			<b>5</b>			<b>3</b>
<b>Auto Passenger</b>			<b>1</b>			<b>1</b>
<b>Transit</b>			<b>0</b>			<b>0</b>
<b>Non-Motorized</b>			<b>1</b>			<b>0</b>
<b>Pedestrian (Transit + Non-Motorized)</b>			<b>1</b>			<b>0</b>
<b>Total Person Trips</b>			<b>7</b>			<b>4</b>
<b>Proposed Museum</b>						
<b>ITE Trips</b>	<b>5</b>	<b>1</b>	<b>6</b>	<b>1</b>	<b>3</b>	<b>4</b>
<b>Auto Driver</b>			<b>6</b>			<b>4</b>
<b>Auto Passenger</b>			<b>1</b>			<b>1</b>
<b>Transit</b>			<b>0</b>			<b>0</b>
<b>Non-Motorized</b>			<b>1</b>			<b>0</b>
<b>Pedestrian (Transit + Non-Motorized)</b>			<b>1</b>			<b>0</b>
<b>Total Person Trips</b>			<b>8</b>			<b>5</b>
<b>Net New Trips</b>						
<b>ITE Trips</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>
<b>Auto Driver</b>			<b>1</b>			<b>1</b>
<b>Auto Passenger</b>			<b>0</b>			<b>0</b>
<b>Transit</b>			<b>0</b>			<b>0</b>
<b>Non-Motorized</b>			<b>0</b>			<b>0</b>
<b>Pedestrian</b>			<b>0</b>			<b>0</b>
<b>Total Person Trips</b>			<b>1</b>			<b>1</b>

Local Area Transportation Review

The Application generates fewer than 50 new person trips in the morning and evening peak hours. As a result, the Application is not subject to completing a Transportation Impact Study.

Other Public Facilities and Services

All other public facilities and services are available and will be adequate to serve the proposed use. Public water and sewer service are adequate and currently serve the Property. Other services including electric, and telecommunications are available to the Property.

The Application has been reviewed by the MCDPS, Fire Department Access and Water Supply Section, which determined that the Property has adequate access for fire and rescue vehicles, as shown on the approved Fire Department Access Plan dated March 29, 2023 (Attachment C).

The other public facilities and services, such as police stations, firehouses and health services are currently operating within the standards set by the 2020-2024 *Growth and Infrastructure Policy*. The proposed museum does not have a residential use, and therefore does not generate students. Therefore, a school adequacy test is not applicable.

#### Ten-Year APF Validity Request

The Applicant has requested a ten-year APF Validity Period instead of the standard five-year APF Validity. Due to the nature of the museum needing grants and donations to secure funding, they have requested the longer APF Validity Period. Given the modest expansion requested staff supports the longer APF Validity Period.

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

**a) Forest Conservation Plan**

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code. There is an approved Final Forest Conservation Plan for the Property which must be amended as part of the Site Plan Amendment Application. The analysis and findings for the amended Final Forest Conservation Plan are described in detail below in the Site Plan findings section of this report.

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

The Application has received an approved Stormwater Management Concept, dated December 13, 2022, and will achieve stormwater management goals on each lot via Environmental Site Design (ESD) practices including two landscape infiltration facilities and three drywells. (Attachment C).

**6. Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M.**

Not applicable to this Property.

**7. Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.**

No other provisions apply to the Subdivision.

## SECTION 6: SITE PLAN FINDINGS AND ANALYSIS

Pursuant to the legacy provisions of Section 59.7.7.1.B.3 of the Zoning Ordinance, this Amendment was reviewed under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014. The proposed Amendment does not alter the intent of the previous findings except as modified below.

- 1. The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.**

Neither a development plan, diagrammatic plan, schematic development plan, nor a project plan were required for the subject site.

- 2. The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.**

The uses are allowed in the RC Zone and the Site Plan fulfills the purposes of the zone by providing low-density development that protects scenic and environmentally sensitive areas.

The Site Plan meets all of the development standards of the zone. With respect to building height, setbacks, and the density of this development is under all the maximum standards allowed. With respect to green spaces, the northern 3.5 acres of the Property is forest conservation easement with walking trails close to the developed area.

### **Development Standards**

The Subject Property is zoned Rural Cluster (RC). The purpose of the RC Zone is to provide designated areas in the county for a compatible mixture of agricultural uses and low-density residential development to promote agriculture, and to protect scenic and environmentally sensitive areas.

The use is permitted in the RC Zone. The development meets the purpose and requirements of the zone as detailed in the Findings section of this report. The following data table indicates the development’s compliance with the Zoning Ordinance:

*Table 2: Project Data Table for the RC Zone - Zoning Ordinance in effect on October 29, 2014*

<b>Development Standards</b>	<b>Permitted/Required</b>	<b>Proposed for Approval</b>
<b>Building Height (feet)</b>	50 max.	35
<b>Building Setbacks (feet)</b>		
Front	50 min.	50
Rear	35 min.	35
Side	35 min.	50

Table 3: Parking Data Table for RC Zone – Current Chapter 59<sup>1</sup>

Parking Standards	Permitted/Required	Proposed for Approval
Parking Spaces	1.25 spaces per 1,000 sf (min. of 29 spaces)	47 spaces
<b>Bicycle Parking</b>		
Spaces	0.50 per 10,000 sf min. (max 10 spaces, min. of 1)	2 spaces
Long-Term Spaces (%)	15%	1 space

**3. The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.**

The proposed modifications will enhance the Property and surrounding community. Figures 4-8 show the proposed architectural changes, including both new structures and building additions, façade alterations, and materials used. Some of the proposed trellis gateway structures use heavy timber posts (Figure 4). Their designs will vary with each embodying a unique artistic and architectural expression. The plaza, shown in the center of Figure 5, is proposed with heavy timber and a brick base to match existing buildings. The proposed buildings use a mix of corten steel, brick, rough sawn timber, rough-hewn timber, board and batten, and cementitious panel sidings. The roofs are proposed with corten steel or asphalt shingles. Some of the proposed buildings include architectural concrete bases.

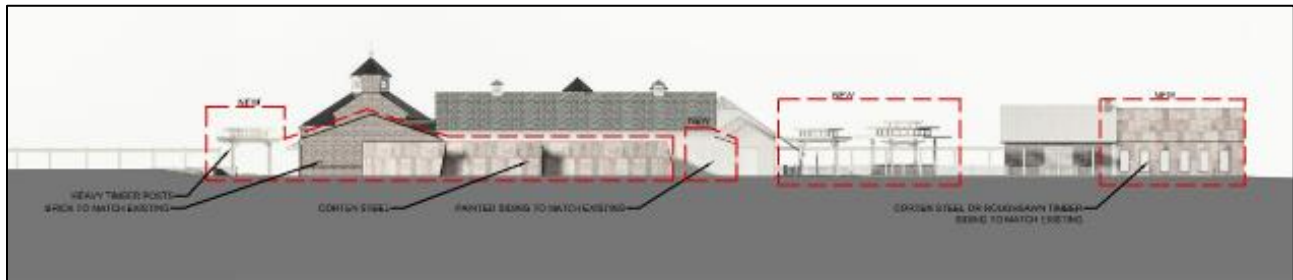


Figure 4 – East elevation with boxes indicating new additions and changes

<sup>1</sup> Section 59.7.7.1.B.3.b. allows an applicant to apply to amend the parking requirements of a previously approved application (listed in Section 7.7.1.B.1 or 7.7.1.B.2) in a manner that satisfies the parking requirements of Section 6.2.3 and Section 6.2.4 of the current Zoning Ordinance.

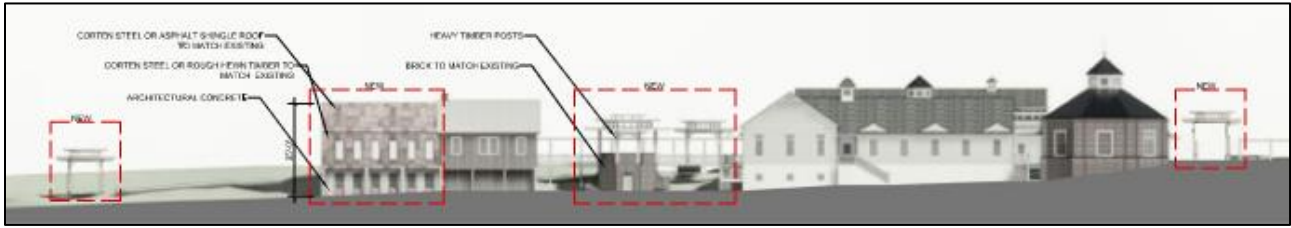


Figure 5 – West elevation with boxes indicating new additions and changes

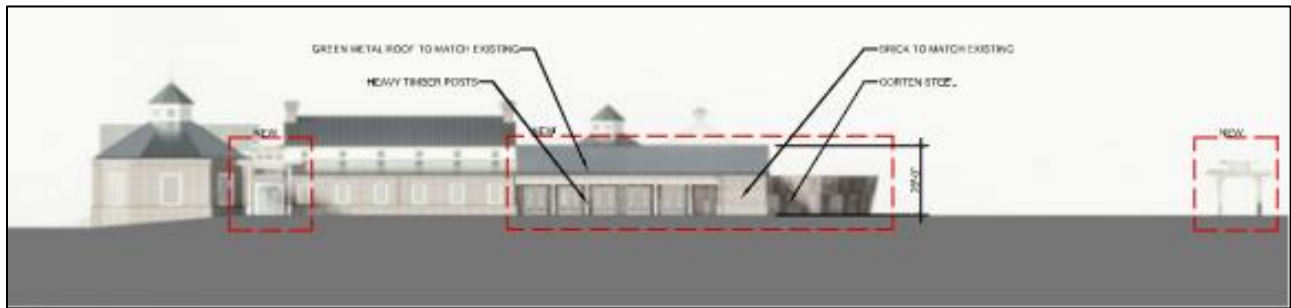


Figure 6 – South elevation with boxes indicating new additions and changes

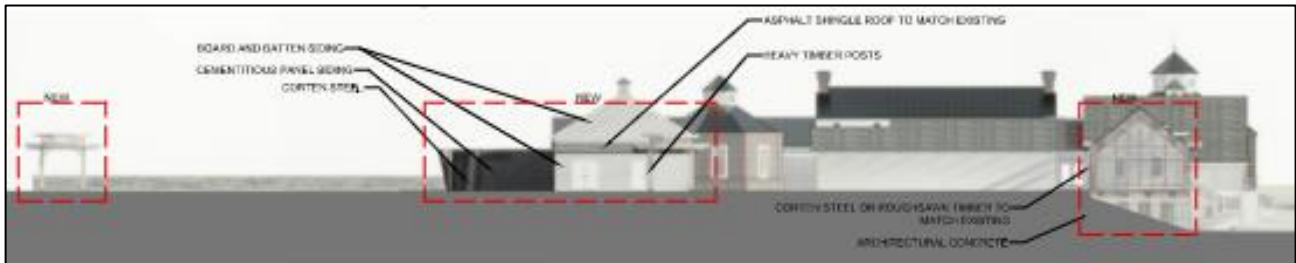


Figure 7 – North elevation with boxes indicating new additions and changes

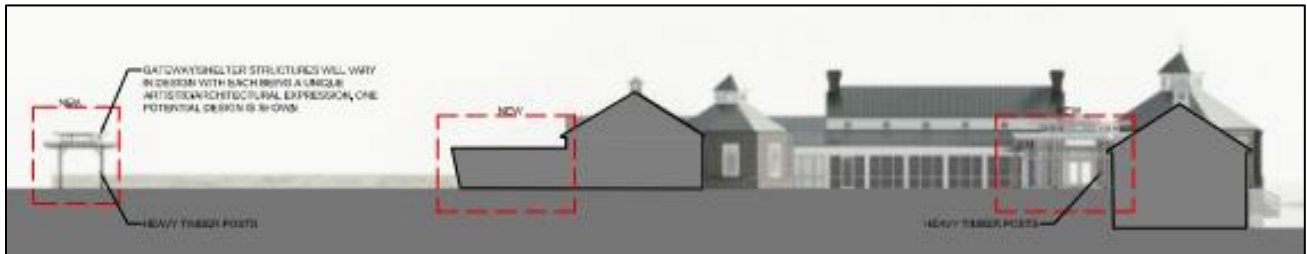


Figure 8 – North courtyard elevation with boxes indicating new additions and changes

The existing and proposed buildings and structures of the development are in the southern portion of the Subject Property, within proximity of both Bentley Road and Olney-Sandy

Spring Road. This existing location is appropriate for the character envisioned by the Master Plan. This location allows most of the northern half of the Subject Property to be conservation area. The location provides easy access to the parking area along Bentley Road with sidewalks and a system of interconnecting walking paths. Pedestrians walking along Olney-Sandy Spring Road can access the site using the existing multi-use path adjacent to the roadway and the sidewalk and walking path connections to the building. Staff finds the locations of the buildings and internal circulation systems to be adequate and efficient, while meeting the aesthetic concerns of the area, and do not pose any safety concerns on the site.

The Subject Property has existing open space in the northern, eastern, and western portions of the site. The northern half of the Property features conservation easements (Categories I and II) as well as a series of natural surface trails to immerse visitors in the natural environment. The eastern side of the Property includes a series of trails, seating areas, and a proposed outdoor amphitheater for educational and cultural programming (Figure 9). The western side also has walking trails, seating areas, and vegetation. There is open space integrated throughout the building area, with a proposed Folk Life Plaza, benches, seating areas, lawns, and pavilion.





Figure 9 – Access and Circulation Exhibit

Stormwater management facilities are in the eastern side of the Subject Property. Trees and lighting are provided throughout the Property to enhance the pedestrian environment. Lighting interior to the Property will create enough visibility to provide safety but not so much as to cause glare on the adjacent roads or properties. There are proposed benches, picnic tables, and bicycle facilities (both racks and a locker) provided. The open spaces, landscaping, and site details adequately and efficiently address the needs of the use and the recommendations of the Master Plan, while providing a safe and comfortable environment.

4. **Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.**

Proposed Development



The grounds at the front and sides of the museum will be updated to allow for future programmed activities of the outdoor spaces. A semi-circular Folk Life Plaza, circular Event Plaza, and square Plaza will be located along the central and western edges of the Property close to the museum. The three spaces will be linked by concrete walkways. The circular Event Plaza will also serve as a loading drop off point when the grounds of the museum need to be set up for activities and access to the event plaza will be from an asphalt driveway connecting to MD 108. A small amphitheater will be located along the northwestern side of the Property and will be linked to the other gathering spaces on the grounds through a crushed granite path. A serpentine crushed granite path will also be used on the western of the Property adjacent to rustic designated Bentley Road to provide pedestrian access along that portion of the Site.

The proposed additions to the museum will increase the square footage of the building to 18,800 square feet in Phase 1. The additions will be located primarily on the eastern and northern sides of the building with a smaller addition on the west side of the building adjacent to the parking lot off Bentley Road. The additions will have a modern architectural style that contrasts and compliments the existing traditional portions of the building. Specifically, the façade additions will be composed of Corten steel with architectural concrete at the base of the addition facing Bentley Road. The addition on Bentley Road will have a massing similar to existing barn building it will be attached to. The additions on the west side of the museum will have massing that contrasts the existing museum consisting of three curved walls.

**5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.***

Forest Conservation Law, Chapter 22A

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 an amended Final Forest Conservation Plan (Attachment E). Included with the amended Final Forest Conservation Plan is a request for a tree variance for impacts and removal of subject trees. The Amended Preliminary Plan and Amended Site Plan comply with the Montgomery County Environmental Guidelines and the Forest Conservation Law, as conditioned in the Staff Report and described below.

Final Forest Conservation Plan

The Application includes an amendment to Final Forest Conservation Plan No.81996010A that was approved on February 7, 2006. All of the forest conservation requirements were satisfied as part of that plan approval, resulting in forest and tree protection within Category I and Category II Conservation Easements. This Application does not propose any changes to the

existing Conservation Easements except for the addition of a natural surface trail loop within the easement and the removal of an unauthorized shed from the easement. The Final Forest Conservation Plan is being amended as part of this Application to reflect the proposed limits of disturbance, install a natural surface trail within the conservation easement, and to request a tree variance for the removal and impact to subject trees.

### Forest Conservation Variance

Section 22A-12(b)(3) of the 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 trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that area designated as Federal and State rare, threatened, or endangered species.

*Variance Request* – The Applicant submitted a variance request in a letter dated March 14, 2023 (Attachment F). For this Application, the variance provision applies to all impacted trees located on the Property that are 30 inches and greater and all impacted trees located on the adjacent historic property to the east that are one inch caliper and greater. The Applicant proposes to remove five and impact but retain sixteen trees that are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law (Tables 4-5 and Figure 10).

Table 4: Variance Tree List for Trees Onsite

No.	DBH	Common Name	Species Name	Condition	Disposition	% Disturbed
● 2.	31"	Tulip Poplar	Liriodendron tulipifera	Good	Remove	
● 5.	45"	Silver maple	Acer saccharinum	Poor	Remove	
6.	43'	Red Oak	Quercus rubra	Good	Disturb	13%
8.	38.5'	Black Cherry	Prunus serotina	Fair	Disturb	23%
9.	30'	Red Maple	Acer rubrum	Good	Disturb	22%
● 11.	31'	Silver Maple	Acer saccharum	Fair	Remove	
12.	42.5'	Norway Spruce	Picea abies	Good	Disturb	25%
● 13.	31'	Norway Spruce	Picea abies	Fair	Remove	
14.	48.5'	Red Maple	Acer rubrum	Poor	Disturb	48%
15.	51'	Red Maple	Acer rubrum	Fair	Disturb	16%
22.	30.5'	Tulip poplar	Liriodendron tulipifera	Good	Disturb	15%
● 24.	32'	Tulip Polar	Liriodendron tulipifera	Good	Remove	
25.	34'	Tulip Poplar	Liriodendron tulipifera	Good	Disturb	47%
27.	32'	Tulip Poplar	Liriodendron tulipifera	Good	Disturb	25%
29.	34'	Tulip Poplar	Liriodendron tulipifera	Good	Disturb	1%
32.	30'	Tulip Polar	Liriodendron tulipifera	Good	Disturb	20%

\* Specimen Trees/ Significant Trees Located Offsite  
 ● Tree Mitigation Calculations for onsite 30' and greater trees to be removed outside of Forested Areas: 182" DBH/ 4 = 46" of Tree Mitigation/ 3" Callper Proposed Native Trees = 16 Replacement Trees.

Table 5: Variance Trees for Trees on Historic Property

No.	DBH	Common Name	Species Name	Condition	Disposition	% Disturbed
114.	21"	Black Walnut	Julans nigra	Good	Disturb	4.4%
118.	28'	E. Red Cedar	J. virginiana	Good	Disturb	18%
119.	16'	E. Red Cedar	J. virginiana	Good	Disturb	1.4%
122.	20'	Ash	Fraxinus ssp.	Good	Disturb	6.2%
124.	24'	E. Red Cedar	J. virginiana	Good	Disturb	2.6%

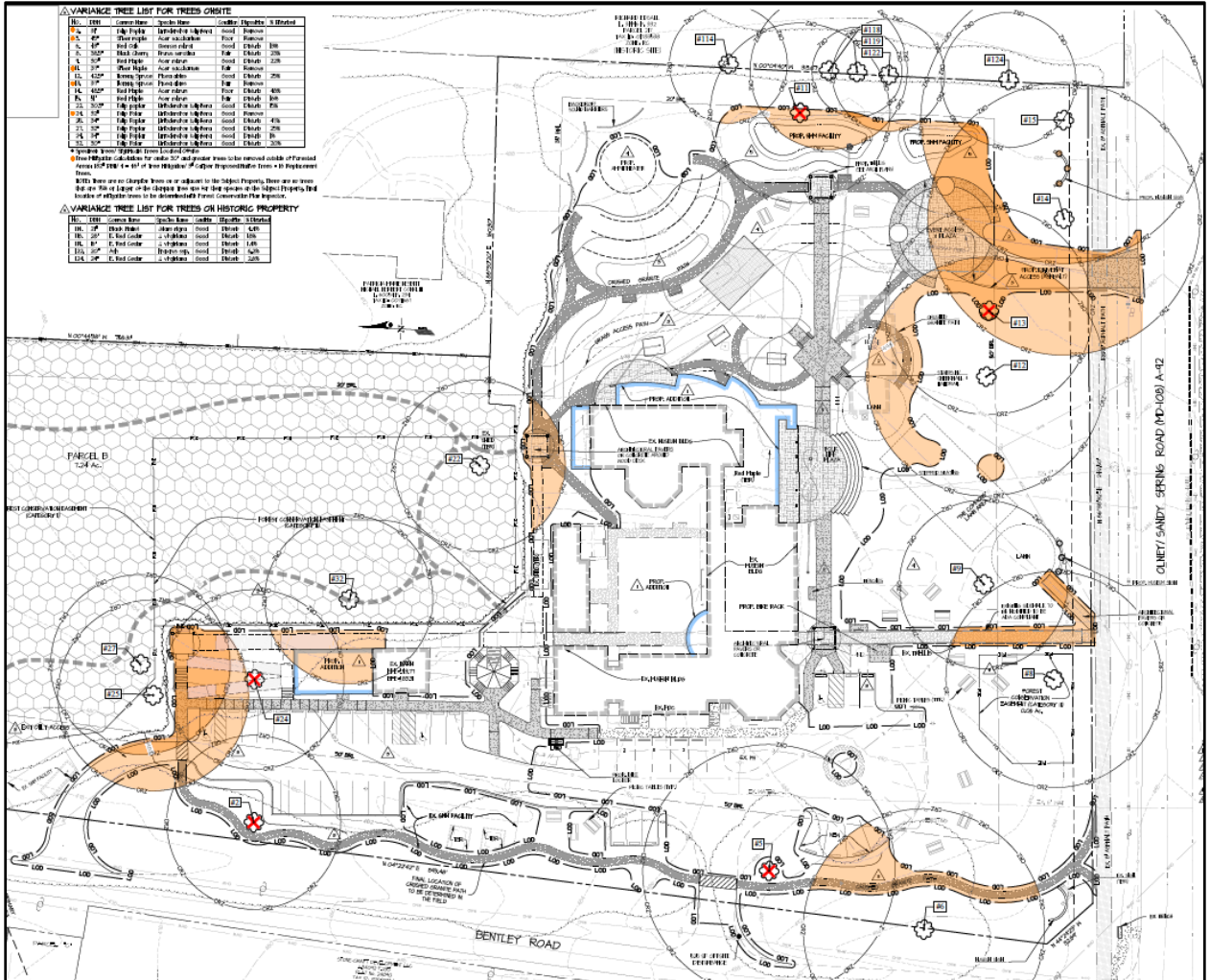


Figure 10 - Variance Tree Removals and Impacts

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 an unwarranted hardship, denying the Applicant reasonable and significant use of its property. In this case, the unwarranted hardship is caused by existing site conditions, including the existing development to remain, existing structure to be removed, the necessary layout of the proposed new development on the Property, and the development standards of the zone.

Trees #114, 118, 119, 122 and 124 are located along the eastern property line, on the adjacent historic site. These Protected Trees will receive impacts to their critical root zones due to the construction of required stormwater management facilities. Staff worked with the Applicant to minimize these impacts through a redesign of the entrance from Olney-Sandy Spring Road and the proposed event access and plaza, resulting in a revised limits of disturbance located

further to the west and away from the historic site and associated trees. These trees will receive tree protection measures and will be retained.

Tree #11 is located on the eastern side of the Property and will also be impacted by the grading and construction of the stormwater management facilities in this area; however, this tree is located entirely within the limits of disturbance and is proposed to be removed.

Trees #12, 13, 14 and 15 are located in the southwest part of the Property and will receive impacts to their critical root zones due to the construction of the entrance driveway from Olney-Sandy Spring Road the proposed event access and plaza, and the removal of the existing house. This entrance driveway is in approximately the same location as the existing driveway resulting in avoidance and minimization of tree impacts if a different location was chosen. However, the widening of this driveway and the addition of the plaza and removal of the existing house to accommodate the new development resulted in some impacts, to the extent that require the removal of Tree #13. Trees #12, 14 and 15 will receive tree protection measures and will be retained.

Trees #8 and #9 are located in the south-central portion of the Property, adjacent to Olney-Sandy Spring Road. These two trees will receive impacts due to the grading and construction of a sidewalk that provides a connection from the sidewalk along Olney-Sandy Spring Road into the Property. These trees will receive tree protection measure and will be retained.

Trees # 5 and 6 are located in the southwest corner of the Property and will be impacted by the grading and construction of a new path that provides a connection from Olney-Sandy Spring Road into the site and along the western property line and the adjacent Bentley Road. Tree # 6 will receive tree protection measures and will be retained. Tree #5 will be removed because its current poor condition will not allow it to withstand the proposed disturbance to its critical root zone.

Trees #2 and #24 are located entirely within the limits of disturbance for the construction of proposed paths and the parking lot. These trees are proposed to be removed.

Trees #22, 25, 27 and 32 are located within the existing conservation easements. A portion of their critical root zones located outside of the conservation easements will be impacted by the grading and construction of the parking lot and pathways that will provide safe pedestrian access around the parking lots and to the museum's facilities. These trees will receive tree protection measure and will be retained.

The existing conditions including the existing development to remain and existing structures to be removed, the proximity to an historic site, required stormwater management facilities, and pedestrian sidewalks and paths necessary to provide safe access to and around the property, including the parking lots have largely determined the limits of disturbance necessary to implement the Application and implement the goals of the Master Plan and the

vision of the Sandy Spring Museum. The inability to remove and impact these trees would prohibit the ability of this site to expand the museum facilities they provide to the community, which is a reasonable and significant use of the Property. Therefore, there is sufficient unwarranted hardship to justify a variance request because the Applicant would otherwise be denied the ability to expand and improve their facilities that serve the community.

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.

Variance Findings

The following determinations are based on the required findings for granting of the requested variance:

- i. 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 impact and removal of the specified trees is due to the development of the Property, location of the trees and necessary site design requirements. The Protected Trees that will be impacted and removed are located within the developed and developable areas of the site. Granting a variance to allow disturbance within the developable portion of the site is not unique to this Applicant. The granting of this variance is not a special privilege that would be denied to other applicants.
- ii. 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, development standards of the zone, and necessary design requirements of this Application, including providing safe pedestrian access to the site and movement within the site and parking areas. The Applicant worked with staff to redesign aspects of the Site to reduce impacts, where possible.
- iii. 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 site design and layout of the Subject Property, and not as a result of land or building use on a neighboring property.
- iv. Will not violate State water quality standards or cause measurable degradation in water quality.*

The variance will not violate State water quality standards or cause measurable degradation in water quality. The Protected Trees being removed are not located within a stream buffer, wetland or Special Protection Area. The Application proposes mitigation by planting larger caliper trees on-site. These trees will replace water quality functions that may be lost by the removed trees. Therefore, the Application will not violate State water quality standards or cause measurable degradation in water quality.

#### Mitigation for Trees Subject to the Variance Provisions

There are five Protected Trees proposed for removal in this variance request and the Applicant is proposing to mitigate for the loss. The Application proposes to remove 182 caliper inches of Protected Trees that will be mitigated for at a rate that approximates the form and function of the trees being removed. These trees will be replaced at a ratio of approximately 1-inch for every four inches removed using trees that are a minimum of three caliper inches in size. This results in a total mitigation of 46 inches with the installation of sixteen 3-inch caliper overstory trees native to the Piedmont Region of Maryland on the Property outside of any rights-of-way and outside of any utility easements. The mitigation trees will be planted on the Subject Property and provide some immediate benefit, ultimately replacing the canopy lost by the removal of these trees. As conditioned, the mitigation trees will be protected as part of a 5-year maintenance and management agreement. Mitigation is not recommended for Protected Trees that will be impacted but retained. The root systems of these trees will regenerate, and they will continue to provide the benefits that they do today.

#### County Arborist's Recommendation

The County Arborist reviewed the Tree Variance request since it includes impacts to the critical root zones of trees located on the adjacent historic property. The County Arborist provided a recommendation for approval of the Tree Variance request with mitigation, in a letter dated March 21, 2023 (Attachment G).

#### Recommendation on the Variance

Staff recommends approval of the variance request with mitigation.

#### Stormwater Management

The Application has received an approved Stormwater Management Concept, dated December 13, 2022, and will achieve stormwater management goals on each lot via Environmental Site Design (ESD) practices including two landscape infiltration facilities and three drywells. (Attachment C).

## SECTION 6: CONCLUSION



As conditioned, the Preliminary Plan and Site Plan amendment applications each satisfy the findings and standards under the Zoning Ordinance in effect on October 29, 2014, Section 59-C-1.3., substantially conform to the recommendations of the 2015 *Sandy Spring Rural Village Plan* and satisfy the findings of the Subdivision Regulations and Chapter 22A, the Forest Conservation Law. Therefore, Staff recommends approval of the Preliminary Plan and Site Plan amendments with the conditions specified at the beginning of this report.

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## ATTACHMENTS

*Attachment A: Previous Approvals*

*Attachment B: Preliminary Plan and Site Plan*

*Attachment C: Agency Letters*

*Attachment D: Community Correspondence*

*Attachment E: Amended Final Forest Conservation Plan*

*Attachment F: Tree Variance Request*

*Attachment G: County Arborist Tree Variance Recommendation*

*Attachment H: APF Validity Extension Request*

# Attachment A

Date of mailing: April 22, 1996



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

Action: Approved Staff Recommendation  
(Motion of Comm. Baptiste, seconded by Comm. Richardson, with a vote of 5-0; Comms. Baptiste, Richardson, Aron, Holmes, and Hussmann voting in favor).

## MONTGOMERY COUNTY PLANNING BOARD

### OPINION

Preliminary Plan 1-96032  
NAME OF PLAN: SANDY SPRING MUSEUM

On 10-20-95, SANDY SPRING MUSEUM, INC. , submitted an application for the approval of a preliminary plan of subdivision of property in the RC zone. The application proposed to create 0 lots on 7.09 ACRES of land. The application was designated Preliminary Plan 1-96032. On 04-18-96, Preliminary Plan 1-96032 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing , the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-96032 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-96032, subject to the following conditions:

- (1) Compliance with the conditions of approval for the preliminary forest conservation plan. Applicant must meet all conditions prior to recording of plat or prior to MCDEP issuance of sediment and erosion control permit, as appropriate
- (2) Agreement with Planning Board to limit development to a 9,000 square feet museum
- (3) Establish an easement along Bentley Road 30 feet off existing center line. Easement area to be dedicated upon determination of Rustic Road classification by MCDOT
- (4) Conditions of MCDEP stormwater management approval dated 10/26/95
- (5) Dedication of Olney - Sandy Spring Road (Md Rt 108) as shown on plan
- (6) Access and improvements as required and approved by MDSHA and MCDOT
- (7) Record plat to reference conservation easements over the areas of tree preservation
- (8) Access to site to be via Bentley Road

- (9) No clearing, grading or recording of lots prior to site plan approval
- (10) Other necessary easements
- (11) This preliminary plan will remain valid until May 22, 1999  
(37 months from the date of mailing which is April 22, 1996)  
Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed.

# Attachment A



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

MONTGOMERY COUNTY PLANNING BOARD

## OPINION

**DATE MAILED:** April 22, 1996

**SITE PLAN REVIEW #8-96010**

**PROJECT: SANDY SPRING MUSEUM**

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*Action: Approval subject to conditions. Motion was made by Commissioner Baptiste, seconded by Commissioner Aron, with a vote of 5-0, Commissioners Baptiste, Richardson, Hussmann, Aron and Holmes voting for. All Commissioners were present.*

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The date of this written opinion is April 22, 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 May 22, 1996 (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, then this site plan shall remain valid until May 22, 1999 (which is the date that the validity period associated with the preliminary plan is set to expire as of the date of this opinion), as provided in Section 59-D-3.8.

On April 18, 1996, Site Plan Review #8-96010 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and on the staff report with modifications to the conditions hereby adopted by the Montgomery County Planning Board, and which is made a part hereof, the Montgomery County Planning Board finds:

1. The Site Plan is consistent with an approved development plan or a project plan for the optional method of development, if required;
2. the Site Plan meets all of the requirements of the zone in which it is located;
3. the locations of the buildings and structures, the open spaces, the landscaping, and the

pedestrian and vehicular circulation systems are adequate, safe, and efficient;

4. each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development;
5. the site plan meets all applicable requirements of Chapter 22A regarding forest conservation.

The Montgomery County Planning Board APPROVES Site Plan Review #8-96010 which consists of 8,513 s.f. of Museum on 5.97 acres, with conditions:

1. Standard Conditions dated 10-10-1995, Appendix A

**APPENDIX A: STANDARD CONDITIONS OF APPROVAL DATED 10-10-95:**

1. Submit a Site Plan Enforcement Agreement and Development Program for review and approval prior to approval of the signature set as follows:

Development Program to include a phasing schedule as follows:

- a. Landscaping associated with the parking lot and building shall be completed as construction of each facility is completed.
  - b. Pedestrian pathways shall be completed as construction of the facility is completed.
  - c. Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
  - d. Coordination of each section of the development and roads;
  - e. Phasing of dedications, stormwater management, sediment/erosion control, forestation or other features.
2. Signature set of site, landscape/lighting, forest conservation and sediment and erosion control plans to include for staff review prior to approval by Montgomery County Department of Environmental Protection (MCDEP):
    - a. Limits of disturbance;
    - b. Methods and location of tree protection;
    - c. Forest Conservation areas;
    - d. Conditions of DEP Concept approval letter dated 10-26-1995;
    - e. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading;
    - f. The development program inspection schedule.
    - g. Conservation easement boundary
  3. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and MCDEP issuance of sediment and erosion control permit.
  4. No clearing or grading prior to Planning Department approval of signature set of plans.





# Attachment A



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item # 9  
MCPB 6-2-05

## MEMORANDUM

DATE: May 27, 2005  
TO: Montgomery County Planning Board  
Rose Krasnow, Chief *RK*  
VIA: Michael Ma, Supervisor *Ma*  
Development Review Division  
FROM: Richard Weaver *RAW*  
Robert A. Kronenberg *RK*  
Development Review Division  
(301) 495-4544 and (301) 495-2187



REVIEW TYPE: **Preliminary and Site Plan Review**  
CASE #: **1-96032A and 8-96010A**  
PROJECT NAME: **Sandy Spring Museum**  
APPLYING FOR: Approval of a 3,500 square foot building addition to the existing Sandy Spring Museum on 7.47 acres  
REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations, Sect. 59-D-3 of Montgomery County Zoning Ordinance, Required for a museum with a floor area exceeding 5,000 square feet in the RC zone.  
ZONE: Rural Cluster (RC)  
LOCATION: At the northeast quadrant of the intersection with Bentley Road and Sandy Spring Road (MD 108)  
MASTER PLAN: Sandy Spring/Ashton Master Plan  
APPLICANT: Sandy Spring Museum  
FILING DATE: April 8, 2005  
HEARING DATE: June 2, 2005

**STAFF RECOMMENDATION FOR PRELIMINARY PLAN 1-96032A:** Approval of a 3,500 square foot addition to the existing Sandy Spring Museum on 7.47 acres, with the following conditions:

1. Limit expansion at the existing 9,000 square feet Sandy Spring Museum to 3,500 square feet for a total area of 12,500 square feet.
2. Record Plat to reflect dedication of right-of-way along the Olney-Sandy Spring Road (MD 108) site frontage to provide 40 feet of right-of-way from the roadway centerline.
3. Record Plat to reflect dedication of right-of-way along the Bentley Road site frontage to provide 35 feet of right-of-way from the roadway centerline.

4. Construct improvements along MD 108 site frontage to provide an eight-foot bike-path (offset two feet from the property line) and street trees (see Attachment No. 1, Streetscape for MD 108 from *Sandy Spring/Ashton Master Plan*). Coordinate with the Maryland State Highway Administration (SHA), as needed, to facilitate construction of the above bike-path. The bike-path ramps at Bentley Road should meet Americans with Disability Act (ADA) Best Practices.
  5. Compliance with the conditions of approval of the MCDPS stormwater management approval dated March 31, 2005.
  6. Access and improvements, as required, to be approved by MDSHA prior to issuance of access permits.
  7. No clearing, grading or recording of plats prior to signature set approval.
  8. Final approval of the location of buildings, parking, site circulation, sidewalks, and bikepaths will be determined at site plan.
  9. The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
  10. Other necessary easements.
- 

**STAFF RECOMMENDATION FOR SITE PLAN 8-96010A:** Approval of a 3,500-square-foot addition to the existing Sandy Spring Museum on 7.47 acres, with the following conditions:

1. Preliminary Plan Conformance  
The proposed development shall comply with the conditions of approval for Preliminary Plan 1-96032A for the Sandy Spring Museum as listed in the Planning Board opinion.
2. Site Plan Conformance  
The proposed development shall comply with the conditions of approval for Site Plan 8-96010 for the Sandy Spring Museum as listed in the Planning Board opinion dated April 22, 1996 [Appendix A].
3. Landscaping
  - a. Provide an evergreen screen between the new driveway and the rear property line to buffer from headlights the adjacent home.
  - b. Provide street trees parallel to the proposed 10-foot-wide bike lane along MD 108, subject to the MD State Highway Administration approval.
4. Lighting
  - a. Provide a lighting distribution and photometric plan with summary report and tabulations to conform to IESNA standards for commercial development.
  - b. All light fixtures shall be full cut-off fixtures.
  - c. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, especially on the perimeter fixtures abutting the adjacent residential properties.
  - d. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line abutting adjacent residential properties.
  - e. The height of the light poles shall not exceed 12 feet including the mounting base.
5. Pedestrian Circulation  
Provide a 8-foot-wide bike path along the frontage of the property within the right-of-way for Sandy Spring Road (MD 108).
6. Forest Conservation



The applicant shall comply with the following conditions of approval from M-NCPPC-Environmental Planning in the memorandums dated May 25, 2005 [Appendix B]:

- a. The proposed development shall comply with the conditions of the final forest conservation plan. The applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits.
- b. Record plat of subdivision shall reflect a Category I and II conservation easement over all areas of forest conservation.
- c. Location of 0.90 acres of off-site reforestation or forest bank site to be reviewed and approved by M-NCPPC Environmental Planning staff prior to approval of record plat.
- d. Provide protection measures for on-site trees that will be retained near the limits of disturbance.
- e. Provide a management plan to eliminate and control the growth of non-native plants within the conservation easement area and to cover at least a five-year period. The management plan shall be reviewed and approved by M-NCPPC Environmental Planning staff prior to approval of record plat.

7. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated March 31, 2005 [Appendix B].

8. Development Program

Applicant shall construct the proposed development in accordance with the Development Program. The Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of signature set of site plan. The Development Program shall include a phasing schedule as follows:

- a. Street tree planting shall be installed upon completion of the 8-foot-wide Class I bike path, but no later than six months after completion of the bike lane.
- b. Community-wide pedestrian pathways including the 8-foot-wide Class I bike path shall be constructed upon completion of the proposed addition.
- c. Landscaping associated with the building addition shall be completed as construction of the building is completed.
- d. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion.
- e. Phasing of dedications, stormwater management, sediment/erosion control, forestation, community paths or other features.

9. Clearing and Grading

No clearing or grading prior to M-NCPPC approval of signature set of plans.

10. Signature Set

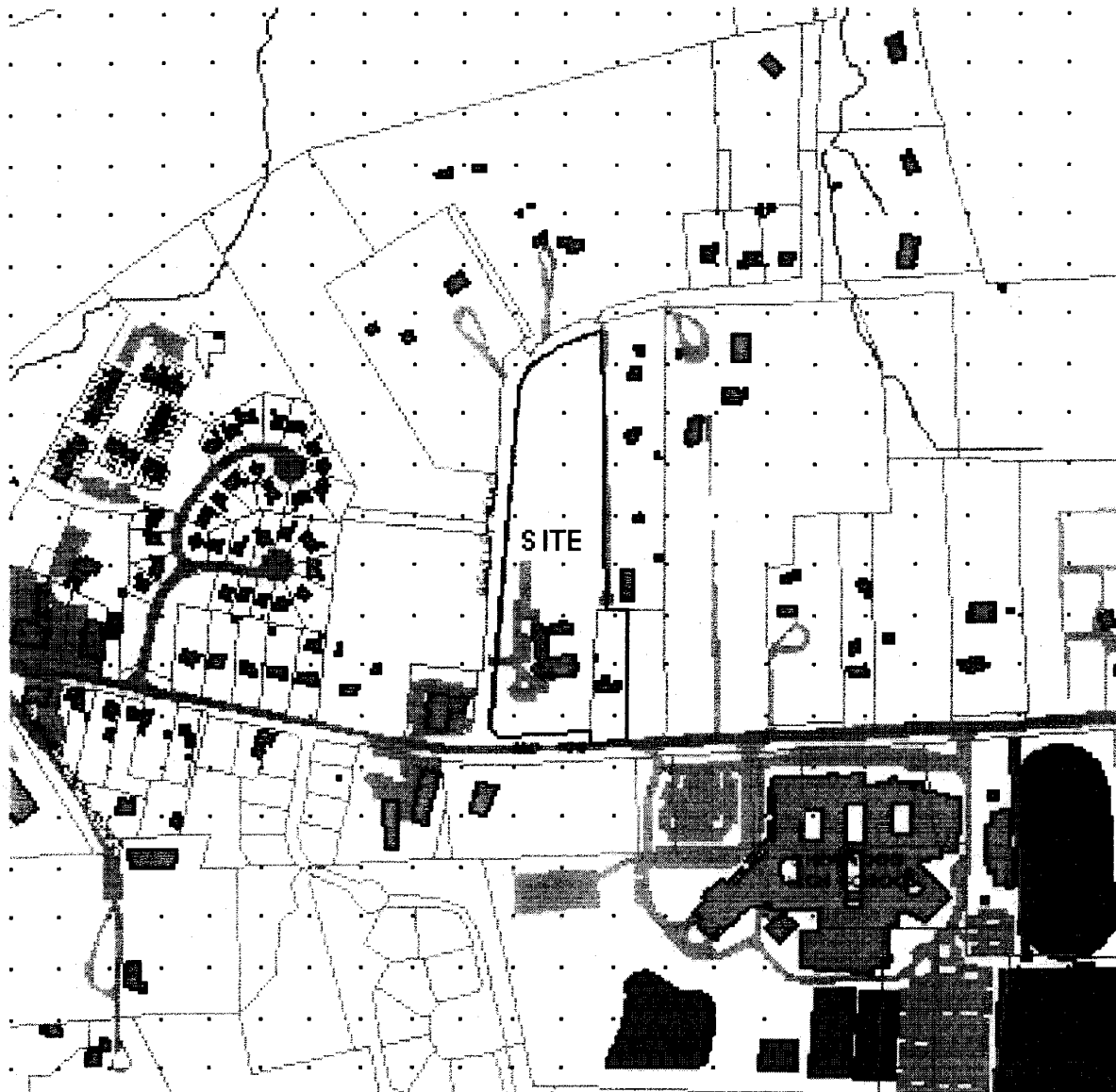
Prior to signature set approval of site and landscape/lighting plans the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Development program, inspection schedule, and Site Plan Opinion.
- b. Limits of disturbance.
- c. Methods and locations of tree protection.
- d. Forest Conservation easement areas.
- e. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.

- f. All of other items specified in the site design, landscaping, lighting, pedestrian circulation and forest conservation conditions of approval.

**PROJECT DESCRIPTION:** Site Vicinity

The site is located in the northeastern quadrant of the intersection of Olney-Sandy Spring Road (MD 108) and Bentley Road. The site and properties east of Bentley Road along MD 108 and north of Bentley Road are zoned RC. The adjacent properties to the north and east consist primarily of one-family detached homes. This site and the surrounding properties are located within the Sandy Spring/Ashton Village Overlay Zone. The properties directly across Bentley Road are zoned RE-1 with a small tract area adjacent to MD 108 zoned C-2. The commercial development contains a gas station and a three-story office/service bay building. Properties further to the west contain a mix of zones comprised of R-60, R-200 (Sandy Spring Meadow subdivision, Plat Book 549, Page 65) and C-2. Property to the south across MD 108 is zoned RE-2 with an existing house. The property surrounding this parcel consists of a split residential/commercial subdivision (Hodges-Landsdale property, Plat Book 623, page 03), zoned C-2 and RNC. To the south and east of the subject site is Sherwood High School, zoned RNC.





**PROJECT DESCRIPTION:** Site Description

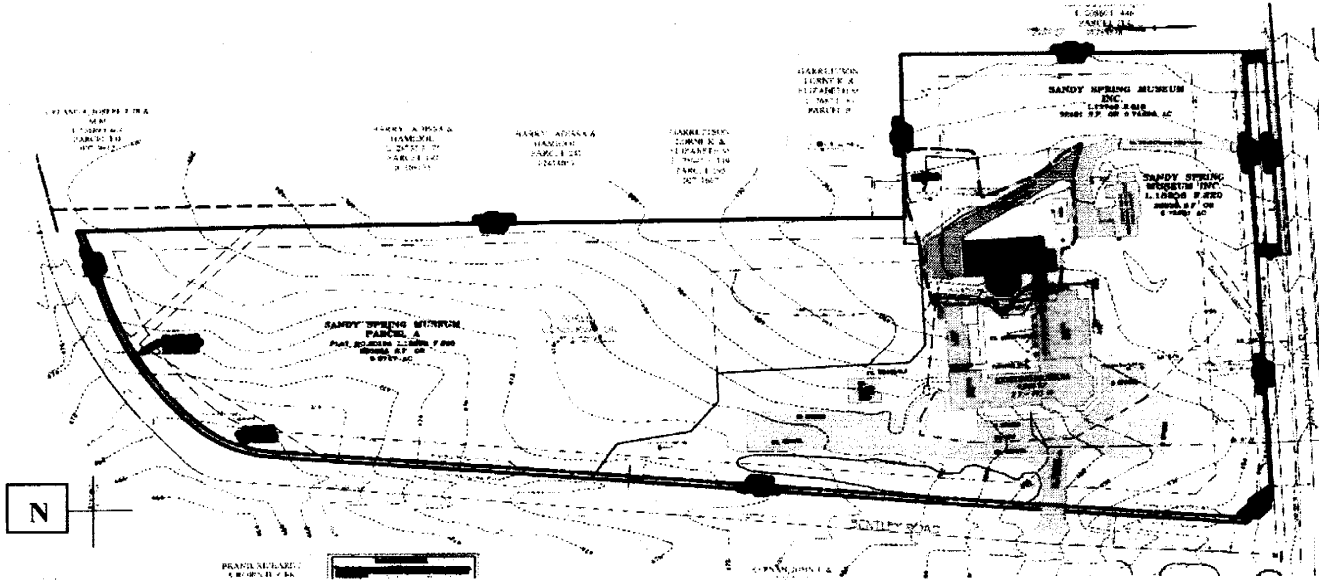
The Sandy Spring Museum is located at the intersection of Bentley Road and Sandy Spring Road (MD 108). The amendment is adding parcels 355 and 354 to the original museum site, which includes the 1-story museum, blacksmith shop, gardens, parking and the grounds around the museum. The additional parcels contain a single-family detached house and large specimen trees surrounded by a manicured lawn area, directly north of the museum building. The entire property contains 3.5 acres of upland forest with no wetland areas on or near the site. The northern-forested section of the site includes a portion of the Patuxent River Primary Management Area (PMA) that extends from a stream on the other side of Bentley Road. The topography slopes down gently about 30 feet from MD 108 toward the northwestern corner of the site. An overhead power line runs through the northern portion of the site. Access to the museum and parking is from Bentley Road while the existing house gains access directly from MD 108.



Aerial view of the Sandy Spring Museum looking west

**PROJECT DESCRIPTION:** Proposal

The proposal consists of a 3,500-square-foot addition located to the east side of the existing museum, and north of the existing 2-story brick residential building. The primary entrance to the existing museum is located approximately 180 feet north of the intersection of MD 108 from Bentley Road. The driveway provides access and parking spaces for 35 vehicles for the main entrance to the museum. The existing driveway from MD 108 will continue to provide access to the existing house and the proposed addition. A pedestrian pathway is shown on the plan between the museum entrance and the proposed sidewalk along Olney-Sandy Spring Road, as well as a connection to the proposed addition.



View of site with an easterly orientation

The existing forest on the northern segment of the site abutting Bentley Road will be preserved and protected within a category I and II forest conservation easement. The proposed on-site stormwater management facilities consist of on-site water quality control and recharge, via an infiltration trench.

**PROJECT DESCRIPTION:** Prior Approvals

Zoning Text Amendment

Zoning Text Amendment (ZTA 94026) was approved by the Planning Board on January 12, 1995 to permit Libraries and Museums in the RC Zone.

Preliminary and Site Plan

Preliminary Plan 1-96032 and Site Plan 8-96010 were approved on April 22, 1996 for 9,000 square feet of Museum in the RC Zone.

**ANALYSIS:** Conformance to Development Standards

PROJECT DATA TABLE (RC Zone)

Development Standard	Permitted/ Required	Proposed
Min. Tract Area (ac.):	5	7.24
Gross Floor Area (s.f.):		
Existing Museum	9,000	9,000
Proposed Addition	<u>3,500</u>	<u>3,500</u>
Total	12,500	12,500
Min. lot width (ft.):		
Along Front Building line	300	451
Along Front Street line	300	462
Max. lot coverage (%):	10	4
Max. Building Height (ft.):	35*	27
Min. Building Setbacks (ft.)		
<u>Main Building and Addition</u>		
from street (Bentley Road)	50	92
rear yard	35	184
side yard	20/40	56
<u>Ex. 2-story residential building</u>		
from street (MD 108)	50	103
rear yard	35	179
side yard	20/40	118
Parking Spaces	31	35 (all existing) + 2 bike racks

\* Pursuant to the provisions in the Sandy Spring-Ashton Rural Village Overlay Zone [Sect. 59-C-18.18], a building height for the main building must not exceed 35 feet.

## **ANALYSIS:**

### **Conformance to Master Plan**

#### **Consistency with 1998 Approved and Adopted Plan:**

This site plan is consistent with the 1998 approved and adopted master plan for Sandy Spring/Ashton in that it helps "to preserve local identity". The use as a local museum, the scale of the building, the materials used, its setbacks from MD 108, and the preservation of woodland contribute to this master plan objective. The site is located between the two Village Centers for Sandy Spring and Ashton. The Master Plan calls for protection of environmental resources, specifically forest retention and protection of the Patuxent River Watershed . This is achieved by this site plan by keeping most of the site forested and protected through a conservation easement.

### **Local Area Transportation Review**

A traffic study (to analyze traffic impact at nearby intersections) is not required of this plan to satisfy Local Area Transportation Review on the basis that the proposed addition would only generate minimal peak-hour trips during the peak-periods. The expansion will not generate 50 or more total peak hour trips. Staff concurs with the applicant's assessment of the traffic activity at the expanded Museum.

### **Policy Area Transportation Review/Staging Ceilings**

Rural policy areas such as the Patuxent Policy Area are not assigned any transportation staging ceilings; therefore, the proposed development is not required to meet the Policy Area Transportation Review test.

**FINDINGS: For Site Plan Review**

1. *The Site Plan is consistent with an approved development plan or a project plan for the optional method of development if required.*

An approved development plan or a project plan is not required for the subject development.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

The Site Plan meets all of the requirements of the RC Zone and the Sandy Spring-Ashton Rural Village Overlay Zone as demonstrated in the project Data Table above.

3. *The location of the building and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

- a. **Buildings**

The proposed addition to the museum is situated in the southeastern portion of the original site, approximately 184 feet from MD 108 and 55 feet from the existing house to the southeast. The setbacks for the addition and the existing museum are deeper than the minimum setbacks required by the RC Zone to minimize the visual impact of this development on the streets and on the adjacent residential properties.

The proposed addition partially encloses the existing courtyard and creates a pedestrian link to the existing museum.

- b. **Open Spaces**

The proposal contains approximately 6.45 acres of open space on the site. The open space will be used primarily to meet forest conservation requirements. It will provide an appropriate setting for the museum and enhance the rural character of this area. The remaining open space consists of lawn area associated with the grounds of the museum.

The stormwater management concept for this development was approved by the Department Permitting Services (DPS) on March 31, 2005 with six conditions. The approved stormwater management consists of on-site water quality control and recharge via an infiltration trench. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

- c. **Landscaping and Lighting**

The plan proposes supplemental landscaping along the northwestern edge of the addition to screen the view of the cars to neighboring properties. In addition, shade trees are proposed along the 10-foot-wide bike path on MD 108. Exterior lighting will be provided as part of the proposed addition.

d. Recreation

Recreation is not required since the project is a non-residential application; however, the site contains a number of recreational oriented activities such as nature paths and outdoor activities associated with the operations of the museum.

e. Vehicular and Pedestrian Circulation

Vehicular and pedestrian circulation is adequate, safe and efficient.

The vehicular access to this development is off Bentley Road with one main driveway entrance and one exit-only point to the museum center. The required parking spaces are distributed between Bentley Road and the proposed museum with three handicapped spaces located near the building entrance. The proposed addition will gain access from an existing driveway off of MD 108 that currently serves the existing house.

A ten-foot-wide bike path (Class I bikeway-PB-66) is proposed along the north side of MD 108 from Bentley Road east along the property frontage.

A mix of paving materials provides pedestrian access via the internal sidewalks throughout the development. A pathway will be provided between the main building entrance and the proposed sidewalk along MD 108. A walkway is also provided between the proposed addition and the primary museum building.

4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development.*

The proposed addition is compatible with surrounding uses and development.

The site is bounded by the existing homes to the east and north. The northern portion of the site will remain undeveloped and the existing woods will be preserved to serve as natural buffer between this development and its surrounding properties. Supplemental plant materials will be provided between the museum and the adjacent house to the east to separate the public use from the existing residential property and minimize its impact.

A compatible relationship has also been achieved by the siting of the proposed addition in a manner that complements the existing museum and reflects the local village character as emphasized in the Sandy Spring-Ashton Rural Village Overlay Zone. The size and scale of the expansion ensures an attractive setting and compatible relationship to existing uses, structures and their relationship to the existing establishments.



5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

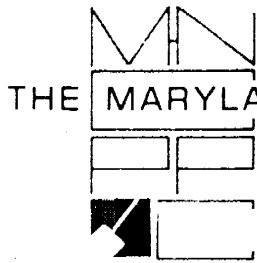
The site is heavily wooded and will be preserved and protected through a category I and II forest conservation easement. A number of mature trees located on the property between the museum, the adjacent properties and streets will be saved. Tree protection measures will be required for the specimen trees located near the proposed addition. A management plan will need to be implemented to remove and control non-native, invasive plants within the conservation easement area.

Forest Conservation requirements have been met by the preservation of 3.50 acres of existing forest, with an additional planting requirement to be met off-site.

#### APPENDICES

- A. Planning Board opinion for Site Plan 8-960101 and Preliminary Plan 1-96032.
- B. Memorandums from agencies

## **APPENDIX A**



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

MONTGOMERY COUNTY PLANNING BOARD

OPINION

**DATE MAILED: April 22, 1996**

**SITE PLAN REVIEW #8-96010**

**PROJECT: SANDY SPRING MUSEUM**

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*Action: Approval subject to conditions. Motion was made by Commissioner Baptiste, seconded by Commissioner Aron, with a vote of 5-0, Commissioners Baptiste, Richardson, Hussmann, Aron and Holmes voting for. All Commissioners were present.*

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The date of this written opinion is April 22, 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 May 22, 1996 (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, then this site plan shall remain valid until May 22, 1999 (which is the date that the validity period associated with the preliminary plan is set to expire as of the date of this opinion), as provided in Section 59-D-3.8.

On April 18, 1996, Site Plan Review #8-96010 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and on the staff report with modifications to the conditions hereby adopted by the Montgomery County Planning Board, and which is made a part hereof, the Montgomery County Planning Board finds:

1. The Site Plan is consistent with an approved development plan or a project plan for the optional method of development, if required;
2. the Site Plan meets all of the requirements of the zone in which it is located;
3. the locations of the buildings and structures, the open spaces, the landscaping, and the

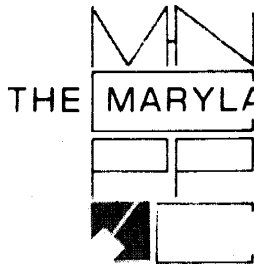
pedestrian and vehicular circulation systems are adequate, safe, and efficient;

4. each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development;
5. the site plan meets all applicable requirements of Chapter 22A regarding forest conservation.

The Montgomery County Planning Board APPROVES Site Plan Review #8-96010 which consists of 8,513 s.f. of Museum on 5.97 acres, with conditions:

1. Standard Conditions dated 10-10-1995, Appendix A

Date of mailing: April 22, 1996



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring Maryland 20910-3760

Action: Approved Staff Recommendation  
(Motion of Comm. Baptiste, seconded by Comm. Richardson, with a vote of 5-0; Comms. Baptiste, Richardson, Aron, Holmes, and Hussmann voting in favor).

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-96032  
NAME OF PLAN: SANDY SPRING MUSEUM

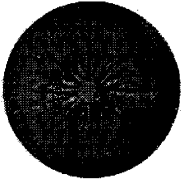
On 10-20-95, SANDY SPRING MUSEUM, INC. , submitted an application for the approval of a preliminary plan of subdivision of property in the RC zone. The application proposed to create 0 lots on 7.09 ACRES of land. The application was designated Preliminary Plan 1-96032. On 04-18-96, Preliminary Plan 1-96032 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing , the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-96032 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-96032, subject to the following conditions:

- (1) Compliance with the conditions of approval for the preliminary forest conservation plan. Applicant must meet all conditions prior to recording of plat or prior to MCDEP issuance of sediment and erosion control permit, as appropriate
- (2) Agreement with Planning Board to limit development to a 9,000 square feet museum
- (3) Establish an easement along Bentley Road 30 feet off existing center line. Easement area to be dedicated upon determination of Rustic Road classification by MCDOT
- (4) Conditions of MCDEP stormwater management approval dated 10/26/95
- (5) Dedication of Olney - Sandy Spring Road (Md Rt 108) as shown on plan
- (6) Access and improvements as required and approved by MDSHA and MCDOT
- (7) Record plat to reference conservation easements over the areas of tree preservation
- (8) Access to site to be via Bentley Road

- (9) No clearing, grading or recording of lots prior to site plan approval
- (10) Other necessary easements
- (11) This preliminary plan will remain valid until May 22, 1999 (37 months from the date of mailing which is April 22, 1996) Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed.



## **APPENDIX B**



May 25, 2005

**MEMORANDUM**

TO: Richard A. Weaver  
Development Review Division

Robert Kronenberg  
Development Review Division

VIA: Shahriar Etemadi, Supervisor *RAW* *JSE*  
Transportation Planning

FROM: Cherian Eapen, Planner/Coordinator *CE*  
Transportation Planning  
301-495-4525

SUBJECT: Preliminary Plan No. 1-96032-A  
Site Plan No. 8-96010-A  
Sandy Spring Museum Expansion – Library and Archives Building Addition  
Olney-Sandy Spring Road (MD 108)  
Patuxent (Rural) Policy Area

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This memorandum presents Transportation Planning staff's Adequate Public Facilities review of the subject Preliminary Plan and Site Plan Amendments to expand the existing 9,000 square-foot Sandy Spring Museum (as previously approved) by approximately 3,500 square-feet. The Preliminary Plan/Site Plan also reflects addition of two new parcels (Parcel 355 and Parcel 354) to the bounds of the existing property (Parcel "A") to create a combined new lot. All of the above parcels are zoned RC, and are within the Patuxent (Rural) Policy Area.

**RECOMMENDATIONS**

The Transportation Planning staff recommends the following conditions as part of the transportation-related requirements to approve this Preliminary Plan and Site Plan:

1. Limit expansion of Sandy Spring Museum to an additional 3,500 square feet for a total area of 12,500 square feet.

2. Dedicate, and show on record plat, adequate right-of-way along the Olney-Sandy Spring Road (MD 108) site frontage to provide 40 feet of right-of-way from the roadway centerline.
3. Dedicate, and show on record plat, adequate right-of-way along the Bentley Road site frontage to provide 35 feet of right-of-way from the roadway centerline.
4. Construct improvements along MD 108 site frontage to provide an eight-foot bike-path (offset two feet from the property line) and street trees (see Attachment No. 1, Streetscape for MD 108 from *Sandy Spring/Ashton Master Plan*). Coordinate with the Maryland State Highway Administration (SHA), as needed, to facilitate construction of the above bike-path. The bike-path ramps at Bentley Road should meet Americans with Disabilities Act Best Practices.

## DISCUSSION

### Site Location, Access, Existing Pedestrian/Bikeway Facilities and Public Transit

The Sandy Spring Museum is located along the north side of MD 108, within the northeast quadrant of MD 108 and Bentley Road. Sherwood High School is located to the south of the Museum. MD 108 currently has a two-lane section along site frontage, a three-lane section in front of Sherwood High School, and a posted speed limit of 30 mph within the study area. Primary access for general public to the Museum will continue to be from Bentley Road. Per the applicant, a new access to the proposed Library and Archives addition will be created through an extension of the driveway that serves the existing single-family residence adjoining the Museum. This residence is owned by the Museum, and is currently occupied by a family that act as caretakers of the Museum. The purpose of the existing driveway extension will be to provide access for the delivery of artifacts and materials to the new Library and Archives building, and will not be used as a general entrance to the new building.

Pedestrian facilities within the study area include sidewalks along the south side of MD 108 between Sherwood High School and New Hampshire Avenue (MD 650). Limited sidewalks also exist along MD 108 to the east of Sherwood High School. Crosswalks are provided across MD 108 in front of Sherwood High School and at Bentley Road. The crosswalk at Bentley Road is supplemented with signs indicating the crosswalk. MD 108 is serviced by the Metrobus Route Z2, which has a stop in front of Sherwood High School and Sandy Spring Museum.

### Master Plan Roadway and Pedestrian/Bikeway Facilities

The 1998 Approved and Adopted *Sandy Spring/Ashton Master Plan* describes the nearby master-planned roadways, pedestrian and bikeway facilities as follows:

1. Olney-Sandy Spring Road (MD 108), as a master-planned east-west Arterial (A-92) between Howard County to the east and Dr. Bird Road to the west, with a minimum right-of-way of 80 feet. The roadway is "Main Street" for both the Sandy Spring and Ashton village centers. Except where four lanes already exist, the Master Plan recommends no more than three lanes for MD 108 between MD 650 to the east and Norwood Road to the west to preserve the rural

character of the road and the character/scale of the village centers. The Master Plan also recommends regional trails along MD 108, with connections to the Rural Legacy Trail and the Northwest Branch Trail that connect to the Sandy Spring, Woodlawn Manor Park and to the Northwest Branch Park. A Class I (off-road) bikeway (PB-66) is recommended for MD 108 along its north side between MD 650 and Dr. Bird Road.

2. Bentley Road, as a Country Road (CR-1) to the north of MD 108 with a recommended minimum right-of-way width of 70 feet and two travel lanes.

### Nearby Transportation Projects

The Maryland State Highway Administration (SHA) Consolidated Transportation Program, and the Montgomery County Department of Public Works and Transportation (DPWT) Capital Improvement Program includes the following nearby projects:

1. MD 650/MD 108 intersection improvements: SHA is currently reevaluating the final improvement design for this intersection given the subdivision activity within the northeastern and southeastern quadrants of this intersection.
2. Improvements at MD 108/Meetinghouse Road/Brooke Road intersection: Currently, SHA is in the process of designing and installing a combined firehouse-pedestrian traffic signal at the intersection. The project may include minor roadway design changes along the business frontages to promote safety.
3. Sidewalk improvements along MD 108/Norwood Road: DPWT is currently developing plans for a sidewalk along the south side of MD 108 between Hidden Garden Lane to the east and Norwood Road to the west, and a sidewalk along the east side of Norwood Road to the south of MD 108. Construction of these improvements is anticipated to start in July 2005.

### Local Area Transportation Review

The applicant for the Sandy Spring Museum presented a traffic statement (dated March 7, 2005; see Attachment No. 2), which indicated that the expanded Museum will continue to operate only three days during the week (Monday, Wednesday and Thursday) from 9:00 a.m. to 4:00 p.m. and on weekends from 12:00 noon to 4:00 p.m. Given the limited operation of the Museum with limited full-time/part-time staff and volunteers, and the anticipated Museum visitor arrivals/departures mostly during off-peak hours, staff estimate that the expanded Museum will not generate more than 49 total peak hour trips (as an original pre-July 2004 Preliminary Plan/Site Plan application) during the weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods. Therefore, a traffic study (to analyze traffic impact at nearby intersections) is not required of this plan to satisfy Local Area Transportation Review. Also, staff supports the offer by the Museum to maintain a staff and visitor log to monitor the Museum peak hour trip activity, if needed for verification.

Policy Area Transportation Review/Staging Ceilings

Rural policy areas such as the Patuxent Policy Area are not assigned any transportation staging ceilings. Therefore, the proposed development is not required to meet the Policy Area Transportation Review test.

CE:gw  
Attachments

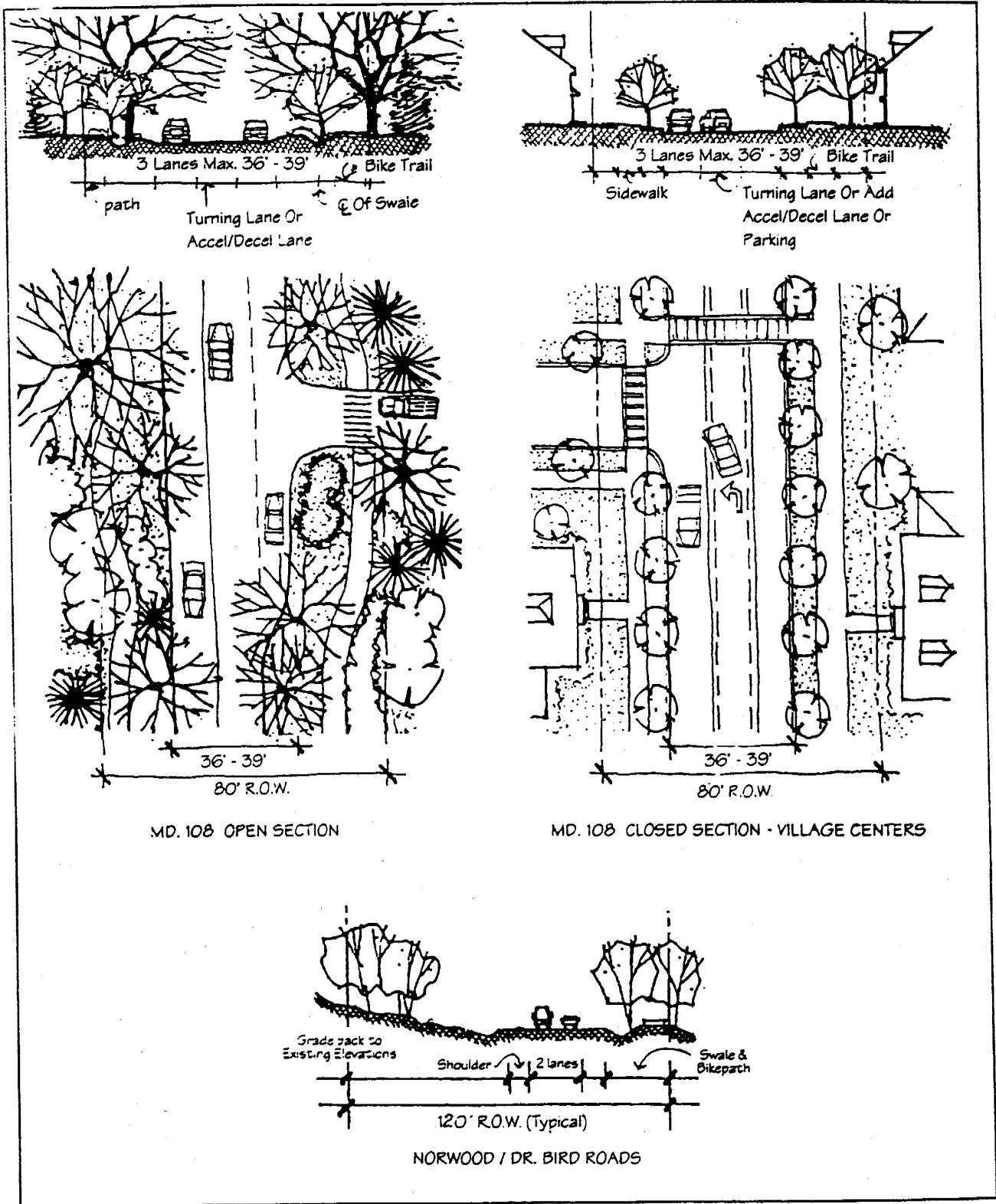
cc: Mary Goodman  
Doug Powell  
Piera Weiss  
Greg Leck  
Greg Cooke  
John Borkowski  
John Chirtea

mno to weaver re 1-96032-A SSMuseum.doc

# STREETSCAPE: MD 108 AND NORWOOD/DR. BIRD ROAD

FIGURE 21

Attachment No. 1





## SANDY SPRING MUSEUM

17901 Bentley Road  
Sandy Spring, Maryland 20860  
Phone: (301) 774-0022

March 7, 2005

MNCP&PC  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Re: Sandy Spring Museum Library and Archives Project  
Preliminary Plan Submission  
Traffic Statement

Ladies and Gentlemen:

This letter will respond to the Preliminary Plan Submission Requirements for traffic information for the above referenced project. The museum currently operates on a three day a week schedule on Monday, Wednesday and Thursday from 9:00am to 4:00 pm. Weekends hours are from 12:00-4:00pm. Staffing during the week includes one full time person who opens the museum at 9:00am, and one other full time person who works from 9:30am to 4:00pm. Two other part time employees work these days, but their time is on off peak hours. Volunteers also arrive and depart at different times during the workdays, and usually do not conflict with peak hour traffic. Visitors to the museum also generally do not conflict with peak hour traffic

The proposed addition will have hours similar to those of the existing museum. It is anticipated that new staffing would add two full time employees, and their hours will be limited to off peak travel times. It is unlikely that the expanded museum operations would generate in excess of 49 peak hour vehicular trips. As we discussed with Mr. Ed Axler, the staff log and visitor logs will be maintained for verification that these peak hour trips will not be exceeded.

Please let me know if you require any additional information relating to traffic generated by the operations of the expanded Sandy Spring Museum.

Sincerely,

John Chirtea, Trustee





Robert L. Ehrlich, Jr., Governor  
Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary  
Neil J. Pedersen, Administrator

Maryland Department of Transportation

May 9, 2005

RECEIVED MAY 16 2005

Ms. Cathy Conlon  
Acting Supervisor Development Review  
Subdivision Division  
Maryland National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Re: Montgomery County  
MD 108  
Sandy Spring Museum  
File No. 8-96010A

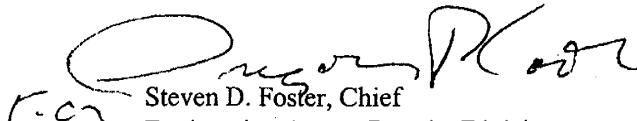
Dear Ms. Conlon:

The State Highway Administration (SHA) has reviewed the submitted site plan application and offers the following comments at this time:

- The access point along MD 108 may be used for delivery services only. No signage will be provided for this entrance. The main access for the museum will be provided from Bentley Road, as noted in the traffic statement that was provided to SHA on April 29, 2005.
- The sight distance certification for the driveway entrance along MD 108 is acceptable.

If additional information is required from SHA regarding this project, please do not hesitate to contact Mr. Gregory Cooke at 410-545-5602, Mr. John Borkowski at 410-545-5595, or by using our toll free number in Maryland only, 1-800-876-4742 (x-5602 for Greg, x-5595 for John). You may also E-mail Greg at [gcooke@sha.state.md.us](mailto:gcooke@sha.state.md.us) or John at [jborkowski@sha.state.md.us](mailto:jborkowski@sha.state.md.us). Thank you for your cooperation.

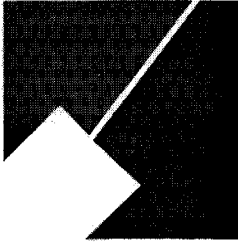
Very truly yours,

  
Steven D. Foster, Chief  
Engineering Access Permits Division

SDF/jb

- cc: Mr. Darrell Mobley (Via E-mail)  
Mr. Augustine Rebish (Via E-mail)  
Mr. Richard Weaver, M-NCPPC (Via E-mail)  
Mr. Dusty Rood (Rodgers Consulting)

My telephone number/toll-free number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free



May 25, 2005

**TO:** Robert Kronenberg, Development Review Division

**FROM:** Candy Bunnag, Environmental Planner,  
Countywide Planning Division

**SUBJECT:** Sandy Spring Museum, Site Plan No. 8-96010A

---

### RECOMMENDATION

Staff recommends approval with the following conditions:

1. Approval of the final forest conservation plan with conditions as stated in the Environmental Planning Forest Conservation Plan Recommendations dated 5/24/05. These conditions include, but are not limited to:
  - a. Location of 0.90 acre of offsite reforestation or forest bank site to be reviewed and approved by M-NCPPC staff prior to approval of record plats.
  - b. Provide protection measures for on-site trees that will be retained and are near the limits of disturbance.
  - c. A management plan to eliminate and control the growth of non-native plants within the conservation easement area and that covers at least five years must be submitted for M-NCPPC staff review and approval before approval of record plats.

### DISCUSSION

The 7.7-acre site lies within the Patuxent River watershed (Use IV waters). There is currently about 3.5 acres of forest on the site. Several specimen trees also occur on the site. A house and the museum are located on the site. There are no streams, wetlands, floodplains, or environmental buffers on the site.

The northeast corner of the site lies within the Patuxent Primary Management Area (PMA). The "Environmental Guidelines" set forth a 10% imperviousness guideline limit for land that is within a PMA, but falls outside a stream buffer. The part of the subject site that is within the PMA is forested and within an existing Category I

conservation easement. No impervious surfaces exist or are proposed within the PMA portion of the site. Therefore, the proposed site plan complies with the "Environmental Guidelines" imperviousness limit for the PMA.

## **FOREST CONSERVATION**

The original site plan was subject to the County Forest Conservation Law. A Final Forest Conservation Plan was approved in 1996. The original forest cover on the site was 5.19 acres. Of that, 1.94 acres were cleared, and 3.25 acres were retained. Some reforestation was also required. Since the approval of the forest conservation plan, the forest retention and planting areas, as well as a small area of trees, have been placed in a combination of Category I and Category II conservation easements.

The proposed amendments to the original preliminary and site plans require an amendment to the approved Final Forest Conservation Plan. The forest conservation plan worksheet has been revised to include the additional land that is shown in the proposed preliminary and site plan amendments. The existing conservation easements on the site will not be changed.

Additional forest planting is required because land has been added to the original forest conservation plan. The forest conservation plan shows that the additional reforestation will occur at an offsite location or will be met through credits obtained from a forest bank. In addition, staff recommends that the applicant create and implement a management plan to remove and control non-native, invasive plants that currently occur within the site's conservation easement area.

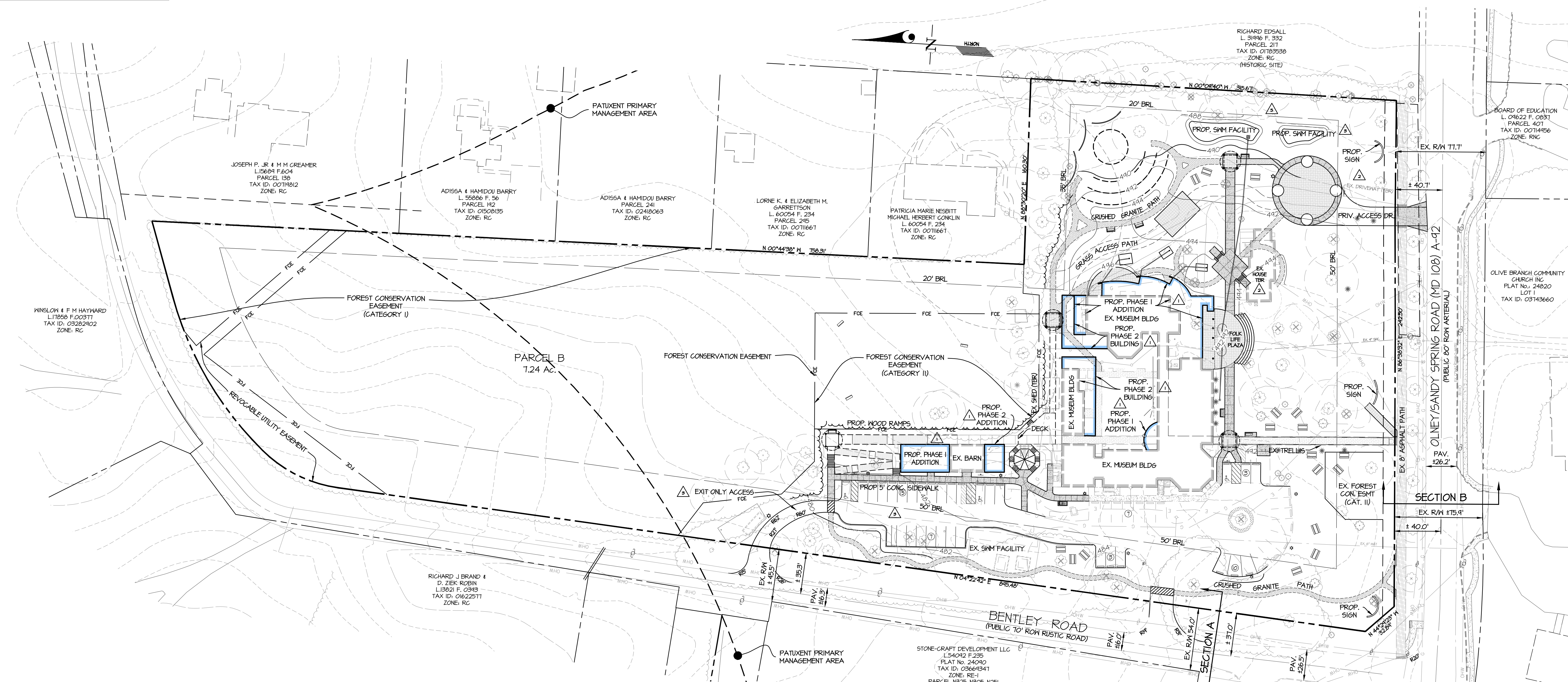
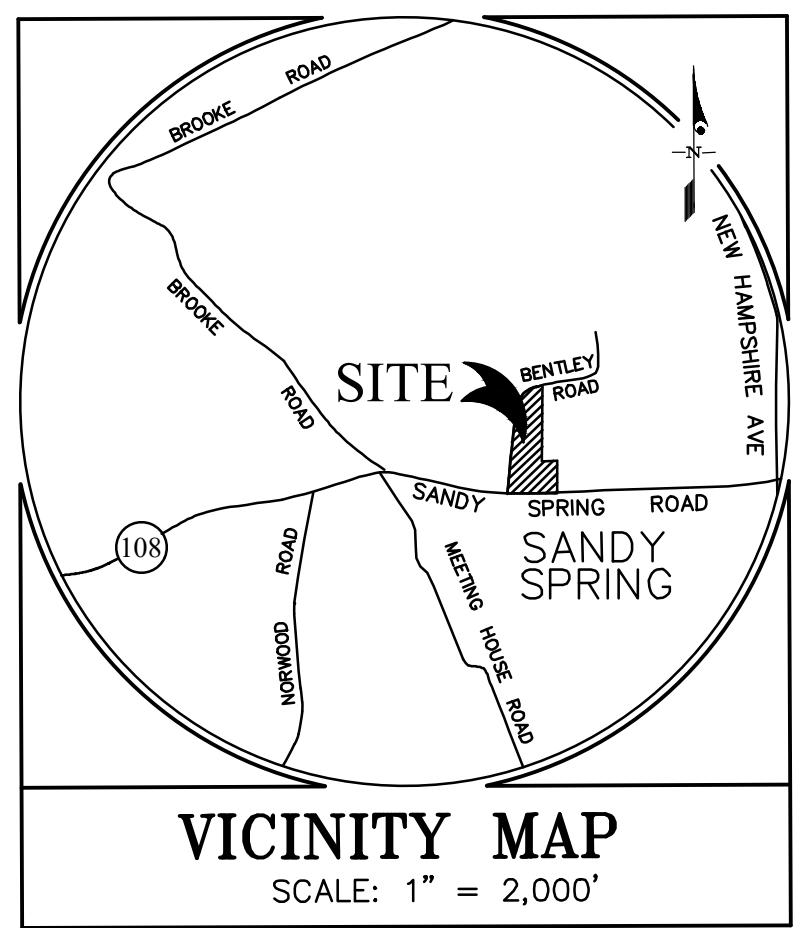
Most of the large and specimen trees will be retained. A 30" Norway spruce will be removed because of the proposed addition to the museum.

The revised Final Forest Conservation Plan meets the requirements of the Forest Conservation Law.



# SANDY SPRING MUSEUM

## PRELIMINARY PLAN No. 11996032B



- GENERAL NOTES**
1. Applicant/Developer: Sandy Spring Museum  
17401 Bentley Road  
Sandy Spring, MD 20860
  2. Boundary Survey by: Rogers Consulting, January 2005
  3. Topography by: Rogers Consulting, January 2005  
GUS, March 2022
  4. NR/FSD No.: 40512, Approved January 11, 2005
  5. Stormwater Concept by: SMM Concept No. 288630  
Approval date:
  6. Preliminary Plan No.: 11946032A, Approved May 2, 2006
  7. Site Plan No.: 819460100, Approved April 22, 1996
  8. Watershed/ Use class: Holdings River Watershed, Class IV-P
  9. Proposed Water and Sewer Category will be public. The Existing Water and Sewer categories are M-1 & S-1
  10. There are no known Rare, Threatened, Endangered Species or Critical Habitats on site.
  11. This property does not contain a site listed on the Inventory of Historic Sites.
  12. There is no floodplain on site per FEMA Map #24031G0220D.
  13. There are no known trees on the subject property that are county and/or state champion trees. There are no trees on the current county and/or state champion tree.
  14. All utilities are conceptual and subject to change. See appropriate approved utility drawings. (PEPCO, Verizon, Comcast & Washington Gas).
  15. Utility Companies:  
Gas - Washington Gas  
Electric - PEPCO  
Water & Sewer - (Washington Suburban Sanitary Commission)  
Telephone - Comcast  
Cable - Comcast & Verizon
  16. M-NCPPC staff must inspect all tree-save areas and protection devices prior clearing and grading.
  17. This plan is subject to a forest conservation plan.
  18. Street trees and street lights will be reviewed and approved by MCDPS-ROW section at the time of ROW permit.
  19. All items in SMM facilities will be reviewed and inspected by DPS Water Resource Section.
  20. The building footprints show including driveways, pathways, stairs garden structures, construction phasing and landscaping on the site plan are illustrative. Final building locations will be determined during the building permit process. Please refer to the zoning data table for development standards such as setback, building restriction lines and lot coverage. Other limitations for site development may also be included in the conditions of the Planning Board's approval.

**DEVELOPMENT STANDARDS RC ZONE**

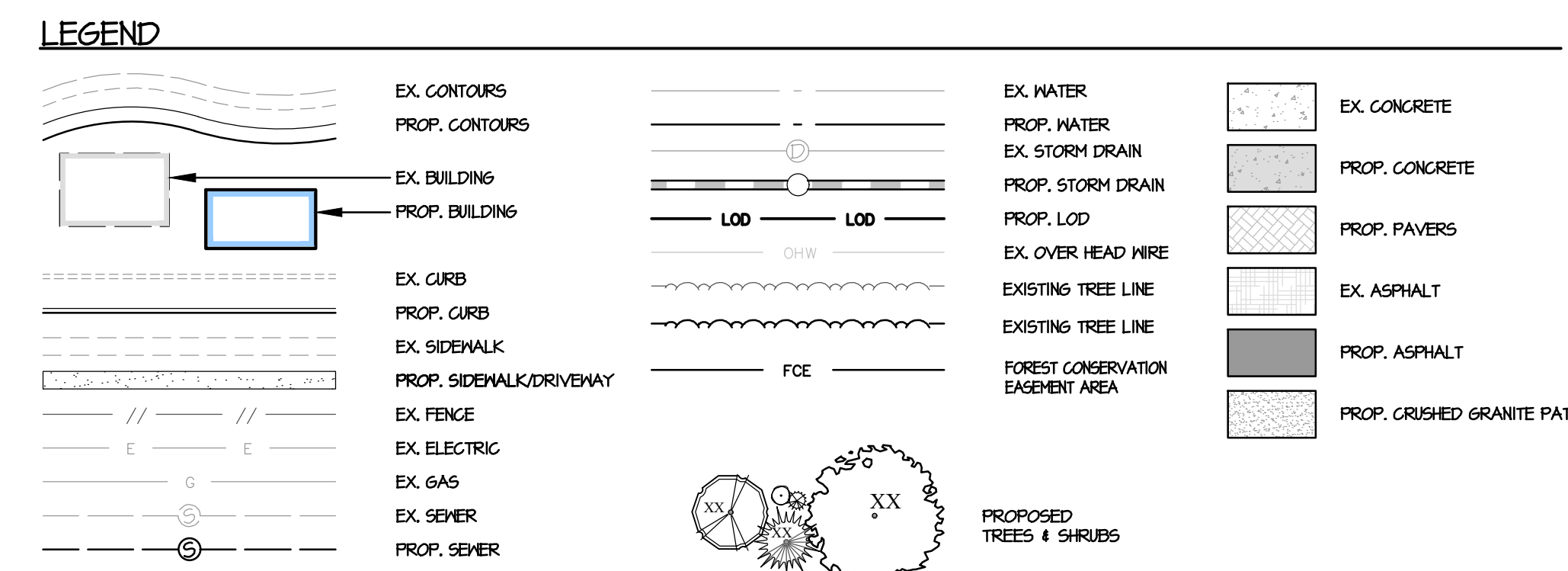
DEVELOPMENT STANDARD ZONE: RC (Rural Cluster)	Permitted/Required	Proposed
Minimum Tract Area:	5.0 AC.	1.24 AC.
Gross Floor Area (SF):	12,500 SF (Museum)	23,200 SF (Phase I & Phase II)

Phase I	Existing	Proposed
Existing Museum	12,311 SF (Actual)	
Exhibit Wing-To Be Removed	-188 SF	
Total Existing to Remain	12,123 SF	
Artist Studio (Barn)	1,201 SF	
Artist Studio Addition	2,016 SF	
Lobby Addition	220 SF	
Folklore Area Addition	1,540 SF	
Storage Addition	1,100 SF	
Total Proposed Museum Area - Phase I (Phase I Net Museum Area Addition 6,677 SF)	10,800 SF	

Phase II	Existing	Proposed
Phase I Area	10,800 SF	
Artist Studios	1,420 SF	
Exhibits/Offices	1,965 SF	
Storage	638 SF	
Total Proposed Phase II (Phase II Net Museum Area Addition 4,400 SF)	23,200 SF	



**Minimum Lot Width:**

At Front Building Line:	300'	45'
At Front Lot Line:	300'	462'

**Maximum Lot Coverage (R):**

10%	3.9%
-----	------

**Maximum Building Height: (F1)**

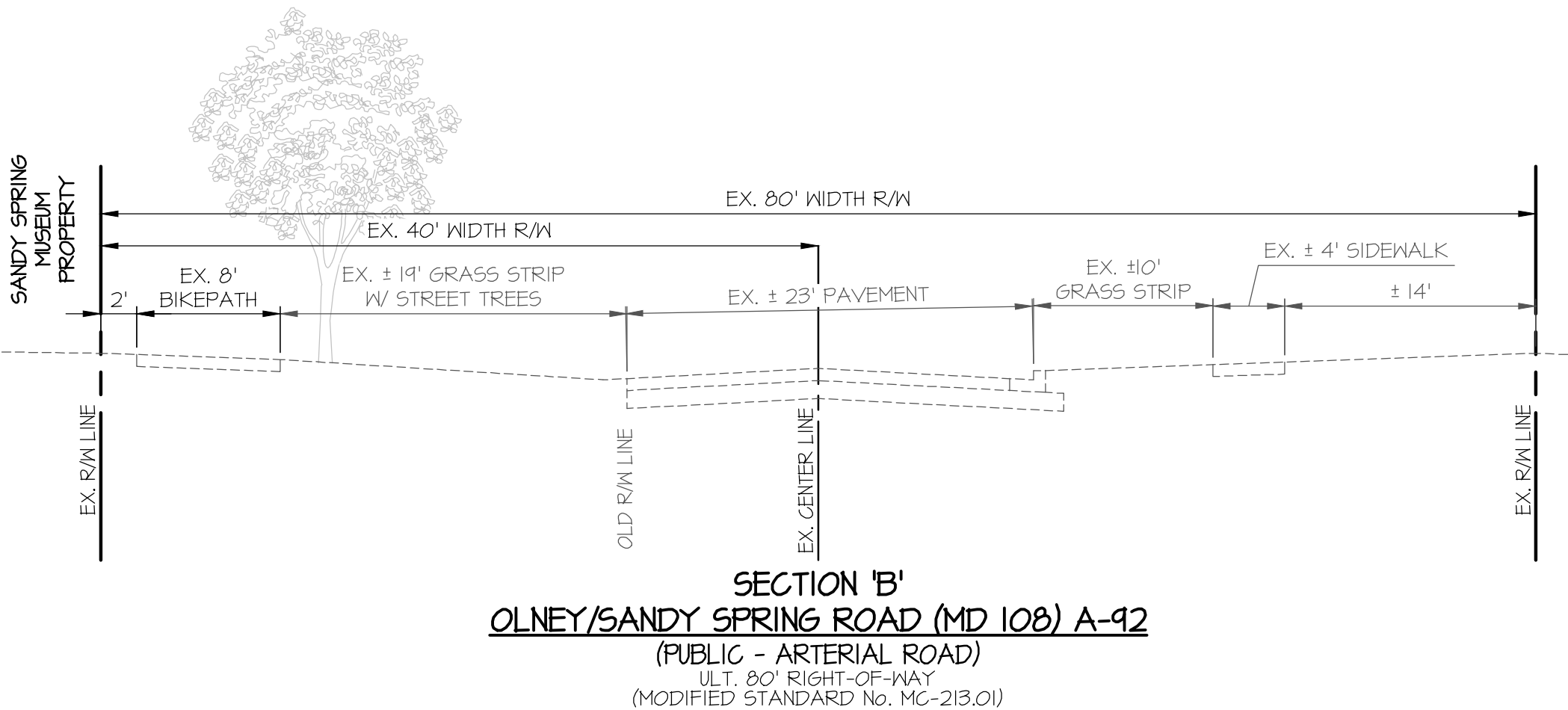
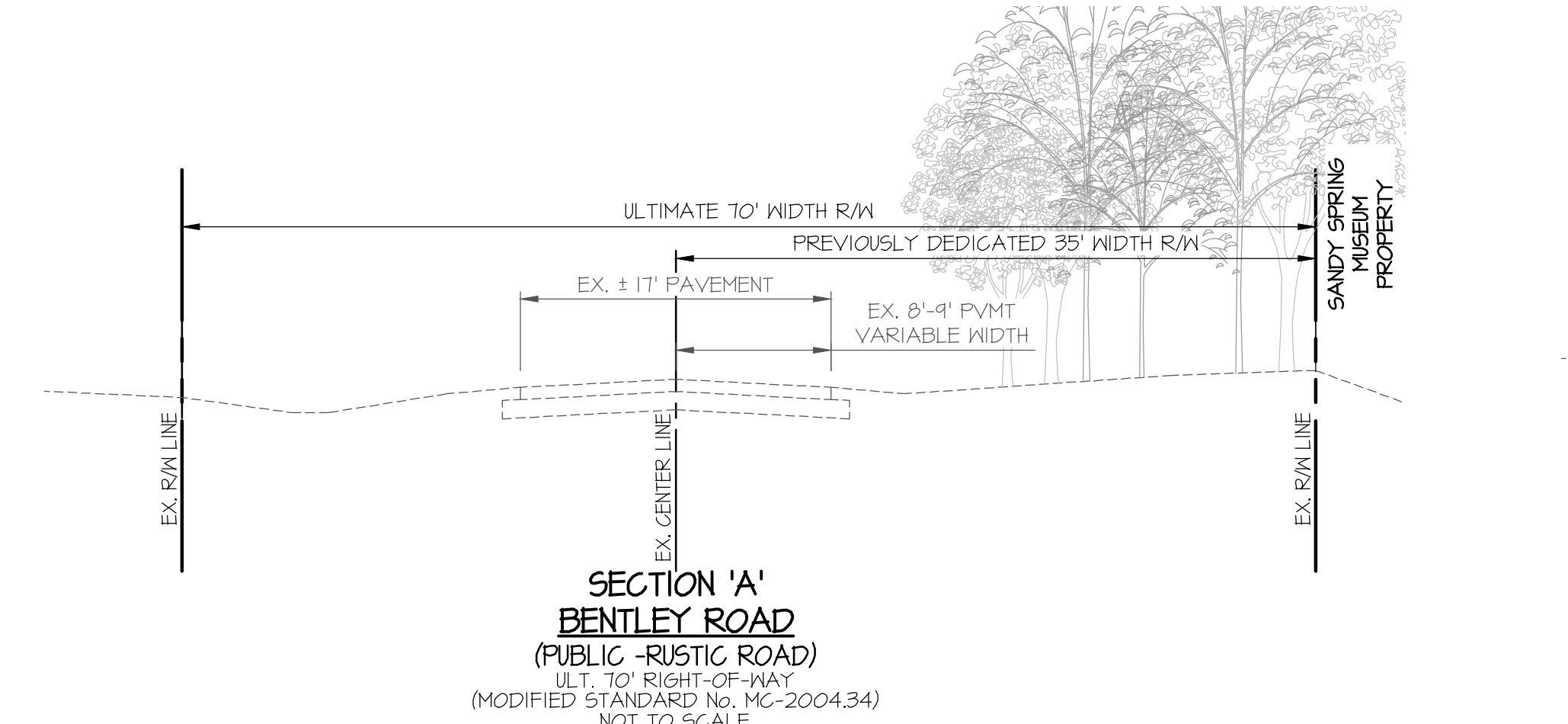
50'	35'
-----	-----

**Minimum Building Setbacks: (F1)**

Front Street: (MD Route 108)	50' min.	50' min.
Side Street: (Bentley Road)	50' min.	50' min.
Side:	20' min.	20' min.
Rear:	35' min.	35' min.

**Parking Spaces:**

Cultural Institution (1,250SF/1,000SF)		
Phase I: 10,800 SF	24 Spaces	41 Spaces
(10,800 SF X 1,250SF/1,000SF = 23.5 sp)		
Phase 2: 23,200 SF	24 Spaces	41 Spaces
(23,200SF X 1,250SF/1,000 SF = 24 sp)		



Preliminary Plan Amendment No. 11946032B  
 Museum building expansion.  
 Existing house, driveway and tree removal.  
 Modified driveway access, parking, paths, sidewalks & handicap access revisions.  
 Additional landscape, lighting, site furniture, site signage, and garden structures.  
 Site grading, storm drain, utilities and stormwater management revisions.

**SHEET INDEX**

- \* 1 PRELIMINARY PLAN
- \*\* 2 APPROVAL SHEET

\*: Preliminary Plan Amendment No. 11946032B  
 \*\*: sheets added w/ Amendment No. 11946032B

**PROFESSIONAL CERTIFICATION**

I hereby certify that to the best of my knowledge, information and the belief that the plan shown hereon is true and correct; has been prepared in accordance with the Subdivision Regulations of Montgomery County, Maryland, and the boundary has been field surveyed. I hereby certify that these plans were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland.

License No.: 29414  
 Expiration Date: January 20, 2024

2/23/2023  
 Date

Tim Longfellow  
 Professional Engineer

MNCPPC PRELIMINARY PLAN No. 11996032B

**GLW**  
 PLANNING | ENGINEERING | SURVEYING

3809 NATIONAL DRIVE | SUITE 250 | BURTONSVILLE, MD 20896 | GLWPA.COM  
 PHONE: 301-421-4024 | FAX: 410-880-1850 | TOLL FREE: 800-459-2524 | FAX: 301-421-4118

DESIGNED BY	CHECKED BY	DATE	REVISION	BY	APPR.
RLG	KAF				

PREPARED FOR:  
 SANDY SPRING MUSEUM  
 17301 BENTLEY ROAD  
 SANDY SPRING, MD. 20860  
 ATTN: ALLISON WEISS  
 (301) 774-0022

SCALE	ZONING
1"=40'	RC
DATE	TAX MAP - GRID
FEB. 2023	JT - 32

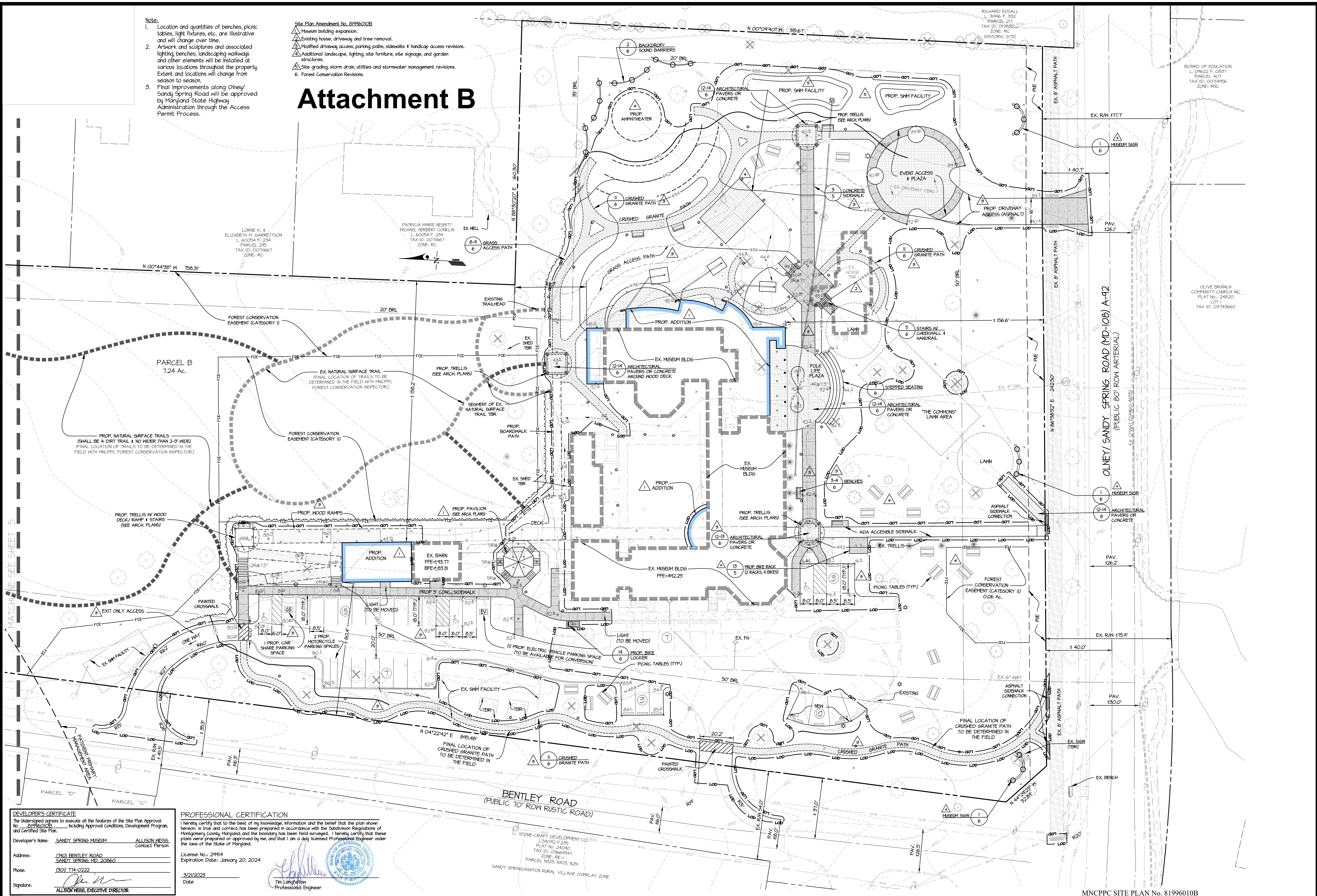
PRELIMINARY PLAN		G. L. FILE No.
SANDY SPRING MUSEUM PARCEL B PLAT No. 23420		20138
OLNEY ELECTION DISTRICT No. 8		SHEET 1 OF 2
MONTGOMERY COUNTY, MARYLAND		



- Note:**
1. Location and quantities of benches, picnic tables, light fixtures, etc. are illustrative and will change over time.
  2. Artwork and sculptures and associated lighting benches, landscaping walkways and other elements will be installed at various locations throughout the property. Extent and locations will change from season to season.
  3. Final Improvements along Olney/Sandy Spring Road will be approved by Maryland State Highway Administration through the Access Permit Process.

- Site Plan Amendment No. 81996010B**
- ▲ Museum building expansion.
  - ▲ Existing house, driveway and tree removal.
  - ▲ Modified driveway access, parking paths, sidewalks & handicap access revisions.
  - ▲ Additional landscape, lighting, site furniture, site signage, and garden structures.
  - ▲ Site grading, storm drain, utilities and stormwater management revisions.
  - ▲ Forest Conservation Revisions.

# Attachment B



**DEVELOPER'S CERTIFICATE**

The undersigned agrees to execute all the features of the Site Plan Approval No. 20230203 including Approval Conditions, Development Program, and Certified Site Plan.

Developer's Name: SANDY SPRING MUSEUM  
 Address: 17301 BENTLEY ROAD, SANDY SPRING, MD, 20880  
 Phone: (301) 774-0222  
 Signature: Allison Weiss, Executive Director

**PROFESSIONAL CERTIFICATION**

I hereby certify that to the best of my knowledge, information and the belief that the plan shown herein is true and correct; has been prepared in accordance with the Subdivision Regulations of Montgomery County, Maryland; and the boundary has been field surveyed. I hereby certify that these plans were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland.

License No. 29914  
 Expiration Date: January 20, 2024  
 Date: 3/21/2023  
 Signature: Tim Longfellow, Professional Engineer

**GLW**  
 PLANNING | ENGINEERING | SURVEYING

3809 NATIONAL DRIVE | SUITE 250 | BURTONSVILLE, MD 20896 | GLWPA.COM  
 PHONE: 301-421-4024 | FAX: 410-880-1850 | DC:VA: 301-421-4118

DESIGNED BY	DRAWN BY	CHECKED BY	DATE	REVISION	BY	APPR.
KAF	HKJ	KAF				

PREPARED FOR:  
 SANDY SPRING MUSEUM  
 17301 BENTLEY ROAD  
 SANDY SPRING, MD, 20880  
 ATTN: ALLISON WEISS  
 (301) 774-0222

SCALE: 1"=20'

DATE: MAR. 2023

ZONING: RC

TAX MAP - GRID: JT - 32

GRAPHIC SCALE: 1 inch = 20 ft.

**SITE PLAN**

SANDY SPRING MUSEUM (PHASE 1)  
 PARCEL B  
 PLAT No. 23420

MNCPPC SITE PLAN No. 81996010B

OLNEY ELECTION DISTRICT No. 8

G. L. W. FILE No. 20138

SHEET 4 OF 11

MONTGOMERY COUNTY, MARYLAND



# Attachment C



## DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
County Executive

Ehsan Motazed  
Acting Director

December 13, 2022

Mr. Tim Longfellow  
Gutshick, Little & Weber P.A.  
3909 National Dr.  
Burtonsville, MD 20866

Re: **COMBINED STORMWATER MANAGEMENT  
CONCEPT/SITE DEVELOPMENT  
STORMWATER MANAGEMENT PLAN** for  
Sandy Spring Museum  
Preliminary Plan #: NA  
SM File #: 288630  
Tract Size/Zone: 7.24 ac  
Total Concept Area: 7.24 ac  
Parcel(s): B  
Watershed: Hawlings River (IV)

Dear Mr. Longfellow:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The plan proposes to meet required stormwater management goals via the use of 2 Landscape Infiltration, 3 DryWells.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. Landscaping in areas located within the stormwater management easement which are shown on the approved Landscape Plan as part of the approved Site Plan are illustrative purpose only and may be changed at the time of detailed plan review of the Sediment Control/Storm Water Management plans by the Montgomery County Department of Permitting Services, Water Resources Section.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not required**.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located



2425 Reedie Drive, 7th Floor, Wheaton, Maryland 20902 | 240-777-0311  
[www.montgomerycountymd.gov/permittingservices](http://www.montgomerycountymd.gov/permittingservices)

*Mr. Tim Longfellow  
December 13, 2022  
Page 2 of 2*

outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Bill Musico PE at 240-777-6340.

Sincerely,

*Mark Etheridge*

Mark Etheridge, Manager  
Water Resources Section  
Division of Land Development Services

cc: Neil Braunstein  
SM File # 288630

ESD: Required/Provided 2,556 cf / 2,578 cf  
PE: Target/Achieved: 1.20"/1.20"  
STRUCTURAL: 0.00 cf  
WAIVED: 0.00 cf.

# ATTACHMENT C



## DEPARTMENT OF TRANSPORTATION

Marc Elrich  
*County Executive*

Christopher Conklin  
*Director*

March 20, 2023

Mr. Jonathan Casey, Senior Planner  
Upcounty Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
2425 Reedie Drive  
Wheaton, MD 20902

RE: Preliminary Plan No. 11996032B  
Sandy Spring Museum

Dear Mr. Casey:

We have completed our review of the revised preliminary plan uploaded to eplans on February 24, 2023. A previous version of this plan was reviewed by the Development Review Committee (DRC) at its meeting on December 20, 2022. We recommend approval of the plans subject to the following comments:

### Significant Plan Review Comments

1. The subject property has frontage along Sandy Spring Road (MD 108), which is maintained by Maryland State Highway Administration (MSHA). Therefore, MCDOT does not have any jurisdiction other than the maintenance and operation of the traffic signal and sidepath. Per Montgomery County Code Chapter 50, Section 4.2, MCDOT shall provide the following recommendations about the subject property for the attention of concerned agencies:
  - a. Per the Sandy Spring Master Plan, Sandy Spring Road (MD 108) is classified as arterial with an 80-foot right-of-way. The full width was previously dedicated as part of Plat No. 23420.
  - b. Per the Bicycle Master Plan, Spring Road (MD 108) shall have a sidepath on the north side. We recommend that the applicant widen the existing 8-foot wide, asphalt path to a 10-foot width.
2. Bentley Road is classified as a rustic road with a 70-foot right-of-way. The full width was previously dedicated as part of Plat No. 23420.
3. The path adjacent to Bentley Road is located outside of the right-of-way and is, therefore, considered private since there is no proposed public access easement.
4. The applicant will be required to install a 6-foot long bench at the existing bus stop at the southwest corner of the property. At or before the permit stage, please contact Mr. Wayne Miller of our

---

### Office of the Director

101 Monroe Street 10<sup>th</sup> Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX  
[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

*Located one block west of the Rockville Metro Station*



Division of Transit Services to coordinate this improvement. Mr. Miller can be contacted at 240-777-5836 or [wayne.miller2@montgomerycountymd.gov](mailto:wayne.miller2@montgomerycountymd.gov).

#### Standard Plan Review Comments

5. All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Montgomery County Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. This letter and all other correspondence from this department should be included in the package.
6. The sight distance study has been accepted. A copy of the Sight Distance Evaluation certifications form is included with this letter.
7. The storm drain analysis was reviewed and is acceptable to MCDOT. No improvements are needed to the downstream County storm drain system for this plan.
8. Design all vehicular access points to be at-grade with sidewalk, dropping down to street level between the sidewalk and roadway.
9. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans with Disabilities Act.
10. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
11. In all underground utility installations, install identification tape or other "toning" device approximately two feet above the utility.
12. If the proposed development will alter or impact any existing County maintained transportation system management component and systems (i.e., traffic signals, signal poles, handboxes, Accessible pedestrian signals, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.) in any way, the developer will be required to submit plans to relocate the impacted facilities. please contact Mr. Kamal Hamud of our Transportation Systems Engineering Team at (240) 777-2190 for proper executing procedures. All costs associated with such relocations and or modifications shall be the responsibility of the applicant. The applicant will also be required to participate upgrading traffic signals with Accessible Pedestrian Signals (APS) and ADA ramps.
13. Posting of a ROW permit bond is a prerequisite to MCDPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
  - a. Driveway entrance on Bentley Road.

- b. Permanent monuments and property line markers, as required by Section 50-4.3(G) of the Subdivision Regulations.
- c. Erosion and sediment control measures as required by Montgomery County Code 19-10(02) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by MCDPS.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at [william.whelan@montgomerycountymd.gov](mailto:william.whelan@montgomerycountymd.gov) or (240) 777-2173.

Sincerely,

*William Whelan*

William Whelan  
Development Review Team  
Office of Transportation Policy

[SharePoint/transportation/directors office/development review/WhelanW/11996032B Sandy Spring Museum-MCDOT letter 032023.docx](#)

Enclosures (1)

Sight Distance Certifications

cc: Correspondence folder FY 2023

cc-e:	Kevin Foster	GLW
	Chris Van Alstyne	MNCP&PC
	Kamal Hamud	MCDOT DTEO
	Wayne Miller	MCDOT DTS
	Sam Farhadi	MCDPS RWPR

# Attachment C

## DPS-ROW CONDITIONS OF APPROVAL

February 27, 2023

### **81996010B Sandy Spring Museum**

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

**“07-BSITE-81996010B-004.pdf V3”** uploaded on/ dated **“2/23/2023”**.

The followings need to be addressed prior to the certification of site plan:

1. Access points on public roads:
  - a. Ensure of minimum curb radii that will accommodate the site traffic.
  - b. Provide truck turning movement for all (especially right turn) movements.
2. Coordinate with rustic roads advisory committee.

# Attachment C



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Department of Permitting Services  
Fire Department Access and Water Supply Comments

---

---

**DATE:** 13-Mar-23  
**TO:** Tim Longfellow  
Gutschick Little & Weber, PA  
**FROM:** Marie LaBaw  
**RE:** Sandy Spring Museum - addition  
81996010B 11996032B

---

## PLAN APPROVED

1. Review based only upon information contained on the plan submitted **13-Mar-23**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

**\*\*\* Addition to an existing building \*\*\***



Tim M. Longfellow, P.E.  
 Principal  
 Ganslick, Little & Weber, P.A.  
 3909 National Drive, Suite 250  
 Burtonsville, MD 20866

Re: Available Water Supply  
 Sandy Spring Museum  
 17901 Bentley Rd  
 Sandy Spring, Maryland

Date: February 24, 2023  
 As requested, I have conducted a flow test at the above referenced site. The test was conducted using the private water main located on site. Flow measurement was performed using a 4" Hose Monster and pitot assembly (the flow chart for the Hose Monster is attached).

The water flow tests were performed at 0700 hours on Friday February 24, 2023 and was as follows:

FLOW TEST	Static	Residual	Flow
	65 psi	55 psi	1707 gpm (single 4" nozzle @ 28 psi pitot from Hose Monster Chart)
	61"	51"	Q28 - adjusted 1982 gpm

I hope this information is helpful. Please contact me if you have any questions or require anything further.

Secondly,  
  
 Mark P. Dempsey, P.E.  
 President



**HOSE MONSTER COMPANY**

**4" HOSE MONSTER™**  
 HM4-GPM FLOW CHART  
 FC-HM4.2021.09.21.MA

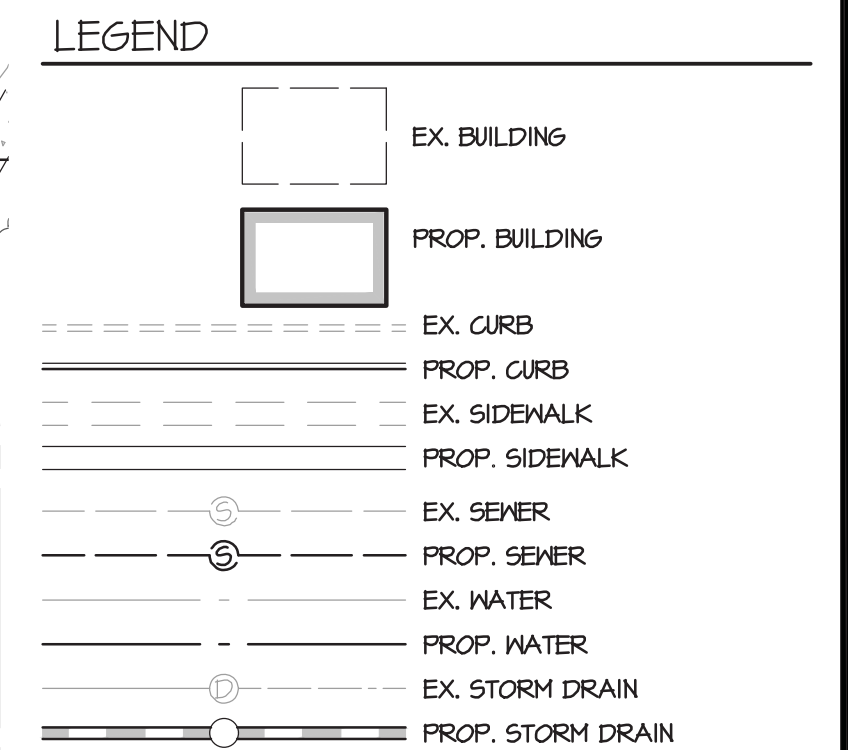
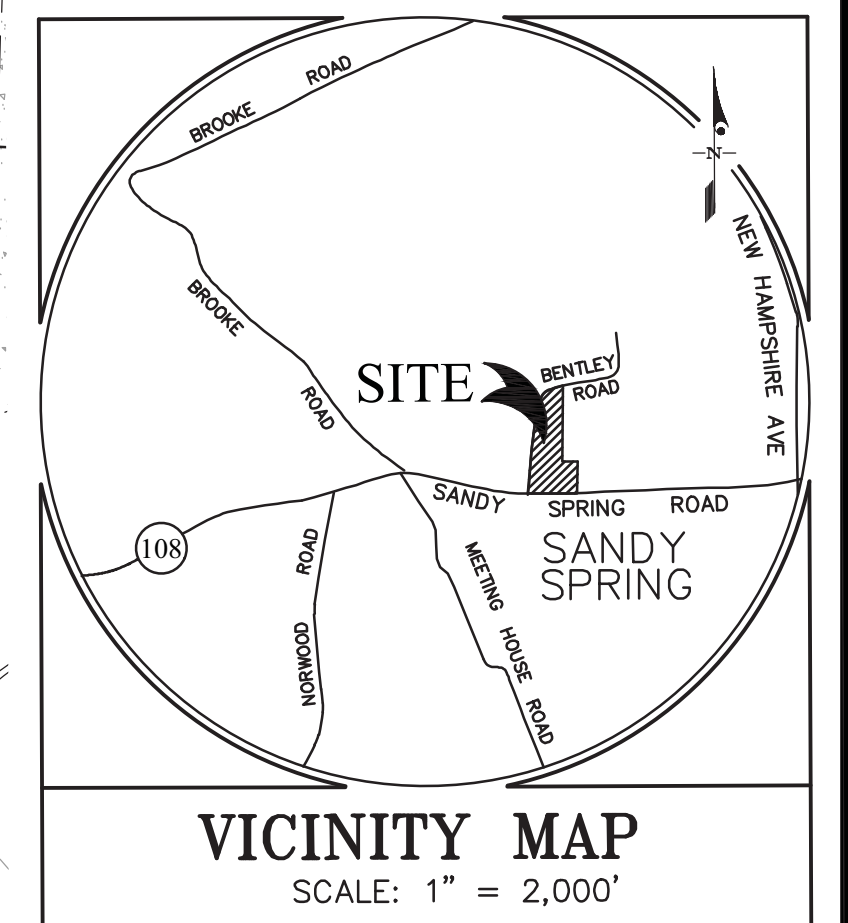
PSI	GPM	PSI	GPM
10	1074	41	2175
11	1126	42	2201
12	1177	43	2227
13	1228	44	2253
14	1271	45	2279
15	1315	46	2304
16	1359	47	2329
17	1400	48	2353
18	1441	49	2378
19	1481	50	2402
20	1519	51	2425
21	1556	52	2449
22	1593	53	2473
23	1629	54	2496
24	1664	55	2519
25	1698	56	2542
26	1732	57	2564
27	1765	58	2587
28	1797	59	2609
29	1829	60	2631
30	1860	61	2653
31	1891	62	2674
32	1921	63	2695
33	1951	64	2717
34	1980	65	2738
35	2009	66	2759
36	2038	67	2780
37	2066	68	2801
38	2094	69	2821
39	2121	70	2842
40	2148	70	2862

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**FIRE CODE ENFORCEMENT**  
 Fire Department Access Review  
 Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.  
 BY: *S.M.C.* PW 43 DATE: 3/13/2023  
 \*\*\* Addition to an existing building \*\*\*

- Site Plan Amendment No. 20196010B
- △ Museum building expansion.
  - △ Existing house, driveway and tree removal.
  - △ Modified driveway access, parking paths, sidewalks & handicap access revisions.
  - △ Additional landscape, lighting, site furniture, site signage, and garden structures.
  - △ Site grading, storm drain, utilities and stormwater management revisions.
  - 6. Forest Conservation Revisions.

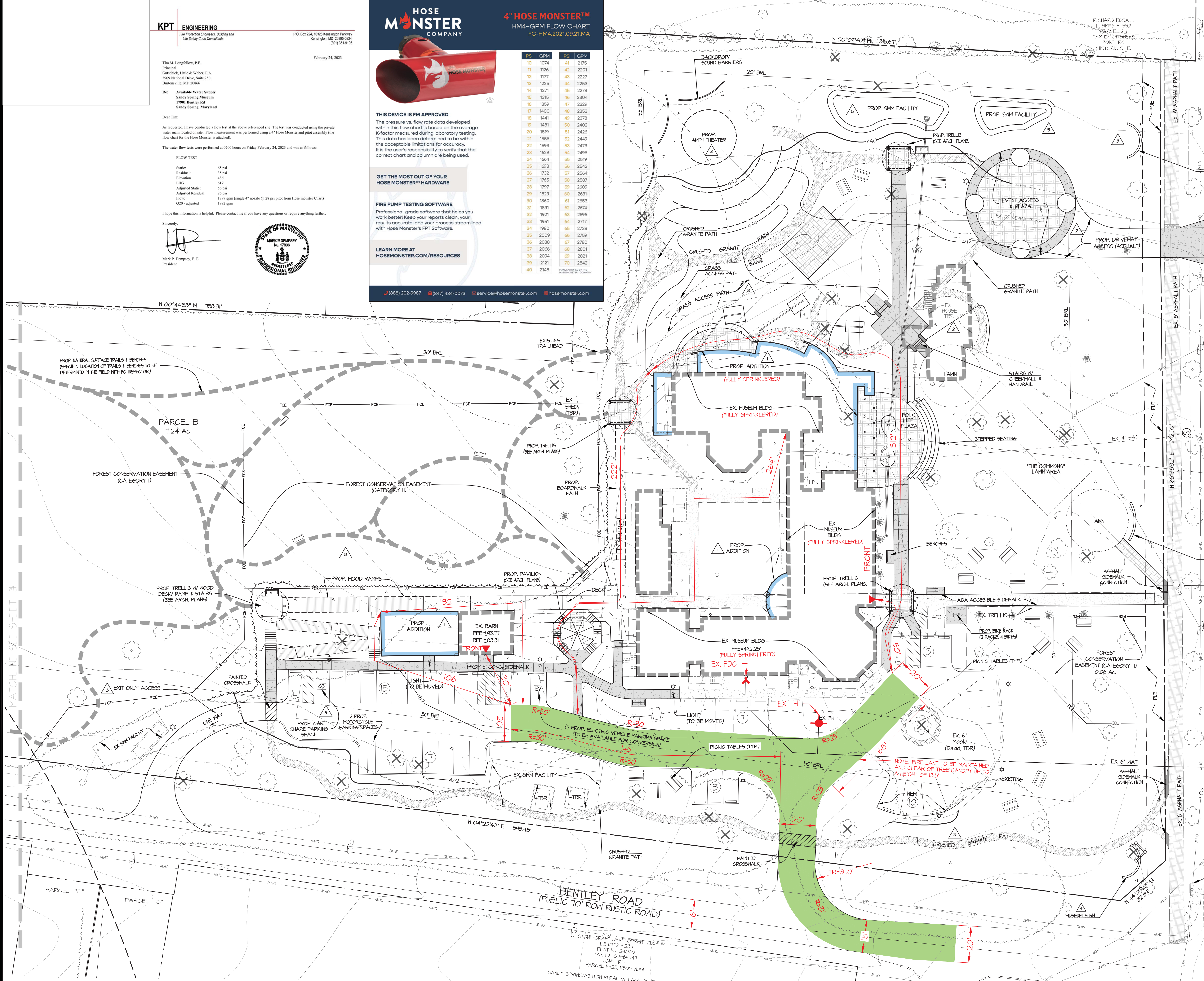
**PROFESSIONAL CERTIFICATION**  
 I hereby certify that to the best of my knowledge, information and belief that the plan shown hereon is true and correct; has been prepared in accordance with the Subdivision Regulations of Montgomery County, Maryland; and the boundary has been field surveyed. I hereby certify that these plans were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland.

License No.: 24914  
 Expiration Date: January 20, 2024  
 3/13/2023  
 Date  
  
 Tim Longfellow  
 Professional Engineer  
 Gutschick, Little & Weber, P.A.

**DEVELOPER'S CERTIFICATE**  
 The undersigned agrees to execute all the features of the Site Plan Approval No. 20196010B, including Approval Conditions, Development Program, and Certified Site Plan.

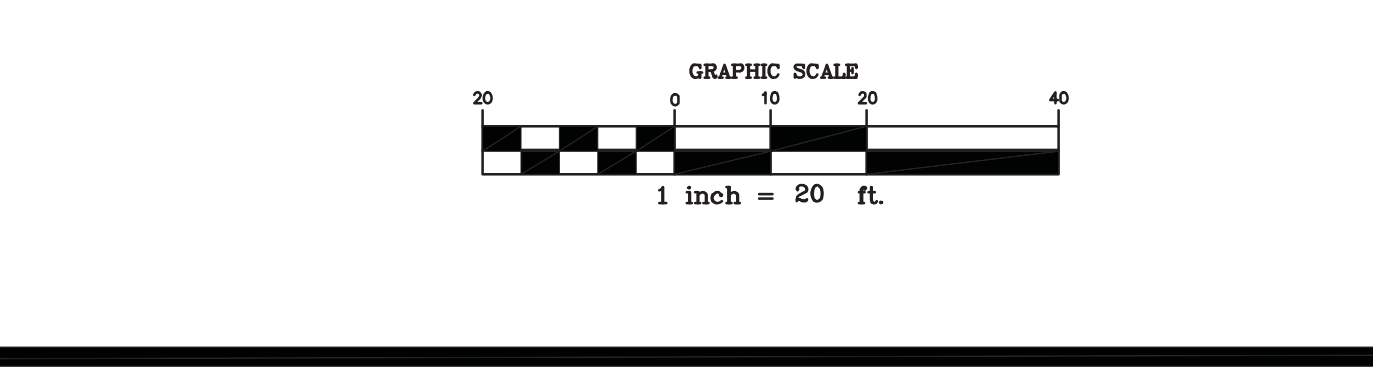
Developer's Name: SANDY SPRING MUSEUM  
 Address: 17901 BENTLEY ROAD, SANDY SPRING, MD 20860  
 Phone: (301) 714-0222  
 Signature: *Allison Weiss*  
 ALLISON WEISS, EXECUTIVE DIRECTOR

MNCPPC SITE PLAN No. 81996010B  
**FIRE ACCESS PLAN**  
 SANDY SPRING MUSEUM (PHASE 1)  
 PARCEL B  
 PLAT No. 23420  
 SCALE: 1"=20'  
 ZONING: RC  
 DATE: MAR. 2023  
 TAX MAP - GRID: JT - 32  
 OLENE ELECTION DISTRICT No. 8  
 G. L. W. FILE No. 20138  
 SHEET 11 OF 11  
 MONTGOMERY COUNTY, MARYLAND



**GLW**  
 PLANNING | ENGINEERING | SURVEYING  
 3809 NATIONAL DRIVE | SUITE 250 | BURTONSVILLE, MD 20866 | GLWPA.COM  
 PHONE: (301) 421-4024 | BALT.: 410-880-1850 | DC/VA: 301-489-2524 | FAX: 301-421-4188

DESIGNED BY	DATE	REVISION	BY	APPR.
KAF				
DRAWN BY				
KAB				
CHECKED BY				
KAF				



PREPARED FOR:  
 SANDY SPRING MUSEUM  
 17901 BENTLEY ROAD  
 SANDY SPRING, MD. 20860  
 ATTN: ALLISON WEISS  
 (301) 774-0022

SCALE: 1"=20'  
 ZONING: RC  
 DATE: MAR. 2023  
 TAX MAP - GRID: JT - 32  
 OLENE ELECTION DISTRICT No. 8

MNCPPC SITE PLAN No. 81996010B  
**FIRE ACCESS PLAN**  
 SANDY SPRING MUSEUM (PHASE 1)  
 PARCEL B  
 PLAT No. 23420

G. L. W. FILE No. 20138  
 SHEET 11 OF 11  
 MONTGOMERY COUNTY, MARYLAND



# Attachment F



March 14, 2023

Forest Conservation Program Manager  
Montgomery County Planning Department  
2425 Reddie Drive, 14th Floor  
Wheaton, MD 20902

Re: Sandy Spring Museum - Variance Request  
Final Forest Conservation Plan No. 81996010A

On behalf of Sandy Spring Museum, (Applicant) we are requesting a variance of Section 22A-12.(b)(3)(c) of the Montgomery County Code.

*(3) The following trees, shrubs, plants, and specific areas are priority for retention and protection and must be left in an undisturbed condition unless the Planning Board or Planning Director, as appropriate, finds that the applicant qualifies for a variance under Section 22A-21:*

*(B) Any tree that is:*

- (i) part of a historic site,*
- (ii) associated with a historic structure, or*
- (iii) designated by the State or County as a national, State, or County champion tree; or*

*(C) Any tree with a diameter, measured at 4.5 feet above the ground, of:*

- (i) 30 inches or more; or*
- (ii) 75% or more of the diameter, measured at 4.5' above ground of the current State champion tree of that species.*

The Subject Property is a 7.24-acre site is located within the Northwestern portion of Montgomery County in Sandy Spring, Maryland (See Figure 1). The Subject Property is comprised of one parcel (Parcel B) and is partially forested with existing Forest Conservation Easements. Parcel B is currently zoned RC, pursuant to the Countywide District Map Amendment effective on October 30, 2014. The Property is located within the planning boundaries of the Sandy Spring Rural Village Master Plan.

The Subject Property has 450 feet ( $\pm$ ) of frontage along Olney-Sandy Spring Road (MD Rt. 108) for the main body of the property and 1,200 feet ( $\pm$ ) of frontage along Bentley Road, located on the western part of the property. The Subject Property contains an existing museum with one existing single-family detached structure located on the Eastern portion of the Site, which is approximately 150 feet from Ridge Road. To the North and East of the Subject Property

is low-density neighborhoods with properties that have large front setbacks. The adjacent property directly East of Subject property, a is a Historic Property. To the west and south of the subject property are a school, a church, a storage facility and gas station.

As part of development on the Subject Property, the applicant is requesting a variance to affect the following trees that measure 30” or greater in diameter at breast height (dbh) and for trees that are located on historic properties that measure 1” or greater at diameter breast height (dbh).

Request to remove the following trees:

2.	31”	Tulip Poplar	Good
5.	45”	Silver Maple	Poor
11.	37”	Silver Maple	Fair
13.	37”	Norway Spruce	Fair
24.	32”	Tulip Poplar	Good

Request to impact the critical root zones of the following trees:

6.	43”	Red Oak	Good
8.	38.5”	Black Cherry	Fair
9.	30”	Red Maple	Good
12.	42.5”	Norway Spruce	Good
14.	48.5”	Red Maple	Poor
15.	51”	Red Maple	Fair
22.	30.5”	Tulip poplar	Good
25.	34”	Tulip Polar	Good
27.	32”	Tulip Poplar	Good
29”	34”	Tulip Poplar	Good
32.	30”	Tulip Poplar	Good
114.	21”	Black Walnut	Good
118.	28”	Eastern Red Cedar	Good
119.	16”	Eastern Red Cedar	Good
122.	20”	Ash	Fair
124.	24”	Eastern Red Cedar	Good

TREE#	TREE TYPE	% DISTURBED	REASON	DISPOSITION
6	Red Oak 43” dbh	13%	Grading required for construction of parking lot and trail construction	To be disturbed
8	Black Cherry 38.5” dbh	23%	Grading required construction of sidewalk	To be disturbed
9	Red Maple 38.5” dbh	22%	Installation of sidewalk and sign construction.	
12	Norway Spruce 42.5” dbh	25%	Removal of existing house, and trail construction	To be disturbed
14	Red Maple 48.5” dbh	48%	Construction for entrance drive, parking lot and trail and driveway removal.	To be disturbed
15	Red Maple 51” dbh	16%		

22	Tulip Poplar 30.5" dbh	15%	Grading and construction required for sidewalk, Garden Trellis and new building addition.	To be disturbed
25	Tulip Poplar 34" dbh	47%	Grading and construction required for Wood ramps, Trellis and new building addition	To be disturbed
27	Tulip Poplar 32" dbh	25%	Construction required for Wood ramps and Garden Structure	To be disturbed
29	Tulip Poplar 34" dbh	1%	Grading and construction required for the private driveways.	To be disturbed
32	Tulip Poplar 30" dbh	20%	Grading and construction required for Wood ramps	To be disturbed
114.	Black Walnut 21"	4%	Grading required for the installation of the stormwater management facilities	To be disturbed
118.	Eastern Red Cedar 28" dbh	18%	Grading required for the installation of the stormwater management facilities	To be disturbed
119.	Eastern Red Cedar 16" dbh	2%	Grading required for the installation of the stormwater management facilities	To be disturbed
122.	Ash 20" dbh	6%	Grading required for the installation of the stormwater management facilities	To be disturbed
124.	Eastern Red Cedar	3%	Grading required for the installation of the stormwater management facilities	To be disturbed

Section 22A-21 (b) lists the criteria for the granting of the variance requested herein. The following narrative explains how the requested variance is justified under the set of circumstances described above.

***1. Describe the special conditions peculiar to the property which would cause the unwarranted hardship:***

The Subject Property is partially forested with multiple specimen trees scattered throughout the site. Due to the modifications to the site, buildings, open space areas, storm water management, and topographic alterations, significant site activity will be required. Given their locations, the proposed improvements to the site will have a significant impact on the specimen trees and the critical root zones.

The Subject Property is adjacent to low-density neighborhoods with properties that have large front setbacks, wooded areas and areas in the RC, RNC, RE-1 and RE-2 zones. Approximately half of the site is preserved in Forest Conservation to protect the environment. The Subject Property is zoned RC which allows for Cultural Institutions such as the museum and the zone's primary purpose is to protect sensitive areas and agricultural uses. Cultural Institutions allow for artisan and living history demonstrations and other community use.

If the applicant were denied the variance to impact specimen trees and therefore denied the ability to further develop this site, it would be an unwarranted hardship on the Applicant not to allow the site to be renovated, in a manner that will further implement goals of the 2015 Approved and adopted Sandy Spring Rural Village Plan by means of providing numerous suitable public gathering spaces for artisan, living history demonstrations and numerous other community resources.



**Impacting the Critical Root Zones (CRZ) of Trees #6, 8, 12, 14, 15, 22, 25, 27, 29, 32, 114, 118, 119, 122 & 124:**

The disturbance to the CRZ of Specimen Tree #6, 8, 12, 14, 15, 22, 25, 27, 29, 32, 114, 118, 119, 122 & 124 could not be avoided due to grading and construction required for the stormwater management facilities, trail systems, sidewalks, ramps and private driveways.

**Removal of Trees 2, 5, 11, 13 & 24:**

The removal of Specimen Tree #2 & 5, are required due to the impacts required for installation of the crushed granite path, the driveway improvements in the right of way combined with the impacts required for the construction and modification of the parking lot. The removal of Specimen Tree #11 could not be avoided due to construction for the Stormwater Management Facilities. The removal of Specimen Tree #13 could not be avoided due to the grading and modifications to the existing access road. Specimen Tree #24 could not be avoided due to the impacts required for construction of the proposed building addition, modifications to the parking lot, and grading required for construction of the handicap ramps and sidewalks.

Not being allowed to remove or disturb these trees and obtain a Tree Variance would deprive the Applicant the ability to implement the goals of the approved Master Plan and support the local community, which is a reasonable and substantial use of the Property and would clearly demonstrate an unwarranted hardship. The ability to provide additional museum area, and community gathering spaces, is allowed within the existing zoning and is within reasonable and substantial use of the Property. If a Variance were to be denied, the Applicant would be deprived of the rights to develop the Property in a manner which supports the Master Plans goals.

***2. Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas:***

The proposed additions, and access improvements have been specifically designed to maximize the potential of the site, while minimizing any forest and tree impacts. Denial of a variance would keep the applicant from fulfilling the applicant's goal of being a valuable and meaningful community resource.

Not granting the variance would cause undue hardship on the applicant because development would be significantly limited, and therefore will deny the applicant ability to fully implement the goals of the Approved Master Plan and support the community. By denial of a Variance, it will deprive the landowner of significant and reasonable use on the property as allowed in the zone, and as shown in the Master Plan. Granting of the variance will ultimately allow the Property to be developed in a safe and efficient manner to provide additional community resources to the area.

***3. Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance:***

The variance will not violate state water quality standards or cause measurable degradation in water quality. The existing site conditions provide very minimal storm water management of existing site run-off. The proposed development will provide full Environmental Site Design (ESD) storm water management for the site. All proposed land development activities will require sediment control and storm water management plan approvals by Montgomery County. The approval, of SWM Concept #288630, will confirm that the goals and objective of the current state and county water quality standards have been met for the proposed development, on site.

***4. Provide any other information appropriate to support the request:***

The applicant has taken great care to locate the site improvement in the buildable area of the site while trying to maximize usage of existing utilities and minimize disturbance to the significant and specimen trees.

The Applicant believes that the information set forth above is adequate to justify the requested variance to remove and impact specimen trees on the Subject Property. Furthermore, the Applicant's request for a variance complies with the "minimum criteria" of Section 22A-21 (d) for the following reasons:

1. This Applicant will receive no special privileges or benefits by the granting of the requested variance that would not be available to any other applicant.
2. The variance request is not based on conditions or circumstances which result from the actions of the applicant. The applicant did not create the existing site conditions, including the random location of the specimen trees.
3. The variance is not based on a condition relating to the land or building use, either permitted or nonconforming on a neighboring property.
4. The impact to, or loss of the requested trees will not violate State water quality standards or cause measurable degradation in water quality.

If you have any further questions or concerns, please do not hesitate to contact me.

Sincerely,

*Kevin Foster*  
Kevin Foster, ASLA AICP

# Attachment G



## DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich  
*County Executive*

Adriana Hochberg  
*Acting Director*

March 22, 2023

Jeff Zyontz, Chair  
Montgomery County Planning Board  
Maryland National Capital Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

RE: Sandy Spring Museum, ePlan 81996010B

Dear Mr. Zyontz:

All applications for a variance from the requirements of Chapter 22A of the County Code submitted after October 1, 2009 are subject to Section 22A-12(b)(3)(A) or (B). Accordingly, given that the application for the above referenced request was submitted after that date and must comply with Chapter 22A, and the Montgomery County Planning Department ("Planning Department") has completed all review required under applicable law and referred the variance request to me, I am providing the following recommendations pertaining to this request.

Section 22A-21(d) of the Forest Conservation Law states that a variance must not be granted if granting the request:

1. Will confer on the applicant a special privilege that would be denied to other applicants;
2. Is based on conditions or circumstances which are the result of the actions by the applicant;
3. Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or
4. Will violate State water quality standards or cause measurable degradation in water quality.

Applying the above conditions to the plan submitted by the applicant, I make the following findings as the result of my review:

1. The granting of a variance in this case would not confer a special privilege on this applicant that would be denied other applicants as long as the same criteria are applied in each case. Therefore, the variance can be granted under this criterion.
2. Based on a discussion on March 19, 2010 between representatives of the County, the Planning Department, and the Maryland Department of Natural Resources Forest Service, the disturbance of trees, or other vegetation, as a result of development activity is not, in and of itself, interpreted as a condition or circumstance that is the result of the actions by the applicant. Therefore, the variance can be granted under this criterion, as long as appropriate mitigation is provided for the resources disturbed.

3. The disturbance of trees, or other vegetation, by the applicant does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property. Therefore, the variance can be granted under this criterion.
4. The disturbance of trees, or other vegetation, by the applicant will not result in a violation of State water quality standards or cause measurable degradation in water quality. Therefore, the variance can be granted under this criterion.

Therefore, I recommend a finding by the Planning Board that this applicant qualifies for a variance conditioned upon meeting all 'conditions of approval' pertaining to variance trees recommended by Planning staff, as well as the applicant mitigating for the loss of resources due to removal or disturbance to trees, and other vegetation, subject to the law based on the limits of disturbance (LOD) recommended during the review by the Planning Department. In the case of removal, the entire area of the critical root zone (CRZ) should be included in mitigation calculations regardless of the location of the CRZ (i.e., even that portion of the CRZ located on an adjacent property). When trees are disturbed, any area within the CRZ where the roots are severed, compacted, etc., such that the roots are not functioning as they were before the disturbance must be mitigated. Exceptions should not be allowed for trees in poor or hazardous condition because the loss of CRZ eliminates the future potential of the area to support a tree or provide stormwater management. Tree protection techniques implemented according to industry standards, such as trimming branches or installing temporary mulch mats to limit soil compaction during construction without permanently reducing the critical root zone, are acceptable mitigation to limit disturbance. Techniques such as root pruning should be used to improve survival rates of impacted trees but they should not be considered mitigation for the permanent loss of critical root zone. I recommend requiring mitigation based on the number of square feet of the critical root zone lost or disturbed. The mitigation can be met using any currently acceptable method under Chapter 22A of the Montgomery County Code.

In the event that minor revisions to the impacts to trees subject to variance provisions are approved by the Planning Department, the mitigation requirements outlined above should apply to the removal or disturbance to the CRZ of all trees subject to the law as a result of the revised LOD.

If you have any questions, please do not hesitate to contact me directly.

Sincerely,



Laura Miller  
County Arborist

cc: Mary Jo Kishter, Environmental Planner III

# Attachment H



April 10, 2023

Mr. Patrick Butler  
Chief, Upcounty Planning Division  
Montgomery County Planning Department  
2425 Reddie Drive  
Wheaton, Maryland 20902

Re: Sandy Spring Museum – APF, Longer Validity Period Request  
Preliminary Plan 11996032B

Dear Mr. Butler,

On behalf of the Applicant, the Sandy Spring Museum, we hereby request a longer Adequate Public Facilities (APF) Validity Period for the Sandy Spring Museum Preliminary Plan (No. 11996032B) as specified by Section 50.4.3.j.5.a of the Montgomery County Subdivision Regulations. The Applicant is requesting a ten (10) year validity period in-leu of the standard five (5) year APF validity period.

Per Section 50.4.3.J.5.d of the Montgomery County Code, an applicant can request a longer adequate public facilities validity period than the minimum five (5) years as specified in Section 50.4.3.j.5.a, for projects approved after March 31, 2017. Along with the validity period request, the applicant must submit a proposed development schedule that shows the minimum percentage the applicant expects to complete in the first five (5) years after APF approval.

Private institutional facilities such as the Sandy Spring Museum play an important role in community vitality and quality of live for Montgomery County residents. Being a private facility, the Museum relies on a combination of private gifts, private donations, public grants, capital funding campaigns and facility income from on-site events to fund daily operational cost as well as capital facility improvements. The proposed development schedule provided demonstrates a realist buildout of the proposed Preliminary Plan and demonstrates the complexity and often time-consuming process of capital funding campaigns and capital project management for private community organizations.

Thank you for your consideration in this matter and please let me know if you have any additional questions or need additional information.

Sincerely,

Kevin A. Foster, RAL, AICP  
Principal

# Sandy Spring Museum

## Development Schedule & Phasing Plan

Planning Board Approval	04/27/23
Resolution Mailing	05/11/23
Initiation Date	06/11/23
Five (5) Year APF Validity Period Expiration	06/11/28

### PHASE I – 18,800 SF Museum Total

#### Phase IA – Folk Life Hub Addition

Site Plan Certification		08/01/23
Design/Engineering/Permitting	(6 Months)	08-01-23 - 02/01/24
Construction/Opening	(12 Months)	02/01/24 - 02/01/25

#### Phase IB – Central Commons, Amphitheater, Storage Addition, Route 108 Entry Plaza

Capital Fundraising Campaign	(18 Months)	12/01/24 – 06/01/26
Design/Engineering/Permitting	(6 Months)	04/01/26 - 10/01/26
Construction/Opening	(10 Months)	10/01/26 - 8/01/27

#### Phase IC – Lobby Addition, Art Barn Addition, Parking Lot Addition, Pathways & Gazebos

Capital Fundraising Campaign	(18 Month)	6/01/27 – 12/01/28
Design/Engineering/Permitting	(6 Months)	02/01/27 – 8/01/27
Construction/Opening	(10 Months)	08/01/27 - 06/01/28

### PHASE II – 23,200 SF Museum Total

#### Phase IIA – Office & Exhibit Area Additions

Capital Fundraising Campaign	(18 Months)	04/01/28 – 10/01/29
Design/Engineering/Permitting	(6 Months)	08/01/29 - 02/01/30
Construction/Opening	(12 Months)	02/01/30 - 02/01/31

#### Phase IIB – Library & Storage Additions

Capital Fundraising Campaign	(18 Months)	02/01/31 – 08/01/32
Design/Engineering/Permitting	(6 Months)	06/01/32 - 12/01/32*
Construction/Opening	(10 Months)	12/01/32 - 12/01/33

*Phase IIB- Building Permit	12/01/32
Ten (10) Year APF Validity Period Expiration	06/11/33