

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

DATE MAILED:

July 9, 2025

MCPB No. 25- 081
Forest Conservation Plan Amendment No. F20240970
Bloom MV Area I-VI
Date of Hearing: June 26, 2025

RESOLUTION

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

WHEREAS, on December 11, 2024, Green Bloom MV Development, LLC (“Applicant”) filed an application for approval of a forest conservation plan for concurrent review and approval with Site Plan Amendment No. 82017013F (“Accompanying Plan”) on approximately 147 acres of land located at the intersection of Montgomery Village Avenue and Stewartown Road, Montgomery Village (“Subject Property”) in the 2016 *Montgomery Village Master Plan* (“Master Plan”) area; and

WHEREAS, the original final forest conservation plan was reviewed and approved concurrently with Site Plan No. 820170130 and was designated FFCP No. 820170130, with its conditions of approval reflected as Condition No. 2 of the resolution approving the Site Plan, MCPB No. 17-111; and

WHEREAS, the Applicant’s forest conservation plan amendment application was designated Forest Conservation Plan Amendment No. F20240970, Bloom MV Area I-VI (“Forest Conservation Plan,” “Amendment,” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board Staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board dated June 16, 2025, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on June 26, 2025, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hedrick, seconded by Commissioner Bartley, with a vote of 4-0; Chair Harris, and Commissioners Bartley, Hedrick, and Linden voting in favor; Vice Chair Pedoeem being necessarily absent.

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Forest Conservation Plan Amendment No. F20240970 on the Subject Property, which modifies Condition Nos. 2.e ¹ and 2.f ². The Forest Conservation Plan conditions, as amended, supersede all previously approved forest conservation conditions and are restated in their entirety as follows:³

2. FOREST CONSERVATION

- a. Prior to Certified Site Plan, the Applicant must amend the Final Forest Conservation Plan to:
 - i. Show the Modified Category I Conservation Easement, defined under Condition 2.b. over all areas within the potential future park dedication area that lie within approved environmental buffer areas, excluding existing permanent easements for utilities and any remaining ponds; and
 - ii. Show the removal of the following above grade items: all cart paths, bridges, and any other impervious surface not otherwise incorporated into the trail system; drinking fountains; debris; signs; bollards; buildings; and sand traps. Any cart paths to remain as part of the trail system must be shown on the Final Forest Conservation Plan.
 - iii. Show any site preparation/remediation for soil compaction caused by removal under 2.a.ii.
 - iv. Remove the deduction for park dedication and recalculate the new afforestation requirement based on the loss of the deduction for Park dedication while providing for all other deductions permitted by law or regulation;
 - v. Show any proposed trails;
 - vi. Correct the mitigation requirement for removal of variance trees to 3.77 acres of additional forest planting, using 1.5 to 2-inch caliper planting stock for trees, and including 125 shrubs;
 - vii. Show an additional 14,629 square feet of forest planting to the afforestation requirement to mitigate for the loss of buffer function due to stream buffer encroachment in development Area 1; and
 - viii. Show any other changes required by conditions of approval.

¹ Final Forest Conservation Plan No. 82017013D

² Final Forest Conservation Plan No. 820170130

³ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner, or any successor in interest to the terms of this approval.

- b. Site inspections by M-NCPPC Staff must occur per Section 22A.00.01.10 of the Forest Conservation Regulations.
- c. Final Sediment Control Plan must be consistent with the limit of disturbance shown on the Final Forest Conservation Plan.
- d. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector or the Parks Department construction permit.
- e. By December 31, 2025 or before final inspection of the last residential unit in the Project, whichever comes first, the Applicant must complete the removal of the following above grade items: all cart paths, bridges, and any other impervious surface not otherwise incorporated into the trail system such as drinking fountains, debris; signs; bollards; buildings; and sand traps.
- f. By December 31, 2025, the Applicant must install all required plantings per the sequence of planting shown on the Mitigation/Afforestation Credit table on Final Forest Conservation Plan No. F20240970 to fulfill the total forest mitigation requirement of 26.70 acres.
- g. Prior to the issuance of the first Sediment Control Permit for each of the six Areas shown on the Site Plan, the Applicant must:
 - i. Must obtain Planning Staff approval of a Maintenance and Management agreement for onsite planting for that Area, including a plan for managing invasive species within the proposed planting area during the maintenance period; and
 - ii. Post a performance bond or other approved financial instrument to guarantee the forest conservation plantings for that Area. The bond may be partially released upon completion of afforestation for a given Area.
- h. If dedication of parkland to the M-NCPPC Parks Department occurs, pursuant to the PFA, prior to the completion of the total afforestation requirement, then the afforestation requirement will be adjusted to allow the deduction for parkland dedication, reducing the net tract area by the area accepted in dedication and reducing the planting requirement accordingly.

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

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

This Amendment revises the conditions of approval for FFCP No. 820170130,⁴ as amended, (the “Forest Conservation Plan”) which established forest conservation mitigation requirements for the entire Bloom MV development. This includes specific planting requirements associated with development of each of the six phases of the Site Plan, as amended.

As shown on the Forest Conservation Worksheets of the Amendment, the current forest mitigation requirement is 26.70 acres of afforestation. The Amendment does not change the amount of forest removal that was previously approved or impact the established afforestation requirement, which will be met by on-site planting. Although the Amendment does not change the substantive requirements of the approved Forest Conservation Plan, it revises the timing triggers for when the removal of certain impervious surfaces, as required in Condition No. 2.e., and the on-site forest planting, as required by Condition No. 2.f., must be completed. With the Amendment, the Forest Conservation Plan will remain in compliance with the requirements of Chapter 22A and ensure the protection of environmentally sensitive features on the Property.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Planning Board in this matter, and the date of this Resolution is

July 9, 2025

(which is the date that this Resolution is mailed to all parties of record); and

⁴ The Amendment also renumbers the Forest Conservation Plan to FCP No. F20240970 based on the current numbering convention for forest conservation plans.

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal consistent with the Maryland Rules for the judicial review of administrative agency decisions.

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Hedrick, seconded by Commissioner Bartley, with a vote of 3-0-1; Chair Harris, and Commissioners Bartley, and Hedrick, voting in favor of the motion, Vice Chair Pedoeem abstaining, and Commissioner Linden being necessarily absent, at its regular meeting held on Thursday, July 3, 2025, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board