Montgomery County Planning Board
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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DATE MAILED:

November 2, 2026

MCPB No. 26-107
Forest Conservation Plan Amendment No. F20260260
Palatine Lot 18, Block E
Date of Hearing: October 15, 2026

RESOLUTION

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

WHEREAS, on June 5, 2001, the Planning Board issued an Opinion approving Preliminary Plan No. 120010420, to create 2 lots on 4 acres in the RE-2 Zone, located in the Watts Branch Watershed, 0.6 miles South of Travilah Road and within the 2002 *Potomac Subregion Master Plan* ("Master Plan") Area; and

WHEREAS, on December 24, 2001, the Planning Director approved Final Forest Conservation Plan No. 120010420 for the above subdivision known as Palatine Lots 17 & 18, which delineated conservation easements to be established within the subdivision; and

WHEREAS, on October 2, 2025, Jatinder Singh Sekhon ("Applicant") filed an application for approval of an amendment to the previously approved forest conservation plan as it applies to Palatine Lot 18, Block E, which is approximately 2 acres of land located at 11805 Centurion Way ("Subject Property"); and

WHEREAS, Applicant's application to amend the forest conservation plan was designated Forest Conservation Plan Amendment No. F20260260, Palatine Lot 18, Block E ("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 October 5, 2026, providing its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on October 15, 2026, 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 Pedoeem, with a vote of *4-0*; Chair Harris, and Commissioners Hedrick, Linden and Pedoeem voting in favor, Commissioner Bartley was necessarily absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Forest Conservation Plan Amendment No. F20260260 on the Subject Property, subject to the following conditions, which are in addition to the conditions associated with approval of Final Forest Conservation Plan No. 120010420:[1]

1. Within sixty (60) days of the date of mailing of the Planning Board Resolution approving Forest Conservation Plan Amendment No. F20260260 (the "Amendment"), the Applicant must record an M-NCPPC-approved Certificate of Compliance in an M-NCPPC-approved off-site forest bank within the Watts Branch watershed or Priority Area to satisfy the mitigation requirement for a total of 0.32 acres of mitigation credit. The off-site requirement may be met by purchasing credits from a mitigation bank elsewhere in the County, subject to Staff approval, or by making a fee-in-lieu payment to M-NCPPC.

2. Within ninety (90) days of the date of mailing of the Planning Board Resolution approving the Amendment, the Applicant must:

    a. Record a new Category I Conservation Easement Agreement for Lot 18 over 0.92 acres of existing and planted forest, reflecting all easement areas as specified on the approved Final Forest Conservation Plan. The new Category I Easement must be in a form approved by the Maryland-National Capital Park and Planning Commission (M-NCPPC) Office of the General Counsel and must be recorded in the Montgomery County Land Records prior to recordation of the Deed of Release of Conservation Easement for the existing conservation easement on Lot 18. The existing Category I Conservation Easement remains in full force and effect until the new Conservation Easement Agreement is recorded.

    b. Submit a Deed of Release of Conservation Easement for the portion of the existing Category I Conservation Easement that encumbers Lot 18, as shown on Plat No. 21869 and subject to the agreement recorded in Book 13178, page 412 and filed among the County Land Records on June 4, 2001. The portion of the existing Category I Conservation Easement that encumbers Lot 17 remains in full force and effect. The Deed of Release must be in a form approved by the M-NCPPC Office of General Counsel and recorded in the Montgomery County Land Records. The entirety of

[1] 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.

the existing easement remains in full force and effect until the Deed of Release has been approved and recorded in the Montgomery County Land Records.

3. Within one hundred twenty (120) days of the mailing date of the Planning Board Resolution approving the Amendment, the Applicant must submit a Minor Subdivision Application for a Plat that delineates the revised conservation easement and references the Book/Page of the recorded deed for the new Category I Conservation Easement. The Plat must be recorded in the Montgomery County Land Records within 180 days of the mailing date of the Planning Board Resolution approving the Amendment.

4. The Applicant must schedule the required site inspections by the M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.

5. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree-save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.

6. Within the first planting season following Planning Board approval of the Amendment, the Applicant must:

    a. Submit a cost estimate for the supplemental planting and other FCP requirements, which includes but is not limited to trees and shrubs, five years of maintenance including invasive species management controls, permanent easement posts and signage, split rail fencing, mulching, and staking credited toward meeting the requirements as shown on the FCP. This cost estimate must be reviewed and approved by the M-NCPPC Planning Department Inspection Staff prior to the submission of financial surety to determine the amount of the financial surety.

    b. Submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department Inspection Supervisor for the supplement planting and maintenance, including invasive species management controls, credited toward meeting the requirements of the FCP.

    c. Execute a five-year Maintenance and Management Agreement (“MMA”) in a form approved by the M-NCPPC Office of the General Counsel.

d. Install all planting, permanent wooden split rail fence and the conservation easement signs as shown on the FCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.

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.*

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

   The Application is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code) under Article III as it is the result of an enforcement action. The Applicant seeks to resolve the violation by amendment of the Forest Conservation Plan. The Forest Conservation Plan amendment does not alter the intent of the previous findings, which remain applicable unless modified below.

   The Application amends the approved forest conservation plan by abandoning 0.04 acres of Category I Conservation Easement on the Subject Property and mitigating the removal off-site at a ratio of 8:1 for the net loss of 0.04 acres of forest. As conditioned, the Applicant will mitigate for the loss of protected forest by purchase of 0.32 acres (14,008 square feet) of offsite forest mitigation bank credits or by paying an equivalent amount in fee-in-lieu.

   Section 22A.00.01.13 of the Montgomery County Forest Conservation Regulations states that “removal of any conservation easement must be reviewed by the Planning Board.” The Planning Board has reviewed the Application and finds that the removal of .04 acres of the easement is appropriate to resolve the violation, as the Property is approximately 87,120 square feet with 41,817 square feet of the area encumbered with a Category I Conservation Easement. With the Amendment, 40,066 square feet of the Property will remain encumbered by Category I Conservation Easement. The Board finds that the reconfigured 0.92-acre easement would provide more useable yard space on the Property, in conformance with Planning Board policy. In recent years, the Board has sought to avoid encumbering properties where the easement would significantly restrict reasonable use of the yard. Development plans are now designed to conserve natural resources where

they will be less prone to encroachment and are thereby more sustainable long-term. In addition, although the area released from the Category I Conservation easement is within a stream valley buffer, the Planning Board finds that the area being released is minimal and being adequately mitigated.

Onsite mitigation of easement removal is generally preferable to offsite mitigation. In this case, both onsite mitigation and offsite mitigation is provided. As conditioned, the Applicant must mitigate for the release of the .04-acre portion of the existing easement at an 8:1 ratio through purchase of forest mitigation bank credits, and on-site through supplemental planting in the existing Category I Conservation Easement.

The on-site supplement planting will occur within open areas of the existing Category I Conservation Easement and consists of twenty-nine (29) 2-inch caliper native trees and twelve (12) native shrubs. In addition, the Amendment requires that permanent wooden split rail fencing with conservation easement markers be installed along the amended easement boundary closest to the existing structure to provide clearer demarcation of the easement to deter future violations.

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

November 2, 2026

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

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

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CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Pedoeem, seconded by Commissioner Linden, with a vote of 3-0-1; Chair Harris and Commissioners Linden and Pedoeem, voting in favor of the motion, Vice Chair Bartley abstaining and Commissioner Hedrick necessarily absent at its regular meeting held on Thursday, October 29, 2026, in Wheaton, Maryland and via video conference.

Artie L. Harris, Chair
Montgomery County Planning Board

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