



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

May 17, 2007

MEMORANDUM

TO: Montgomery County Planning Board

VIA: John A. Carter, Chief *JAC*
Community-Based Planning Division

Sue Edwards, Team Leader, I-270 Corridor *Sue*
Community-Based Planning Division

FROM: Pamela Johnson, Planner Coordinator, I-270 Team *PJ*
Community-Based Planning Division (301-495-4590)

SUBJECT: 1. Preliminary Forest Conservation Plan: Mandatory Referral No. 07304-DPWT-1 – East Germantown Fire Station No. 34, 20633 Boland Farm Road, R-200 Zone, Germantown Master Plan

2. Mandatory Referral No. 07304-DPWT-1 – East Germantown Fire Station No. 34, 20633 Boland Farm Road, R-200 Zone, Germantown Master Plan

STAFF RECOMMENDATION NO. 1 APPROVE the Forest Conservation Plan, with the following conditions:

1. Applicant to submit a Final Forest Conservation Plan (FCP) that meets the requirements of Section 109(B) of the Forest Conservation Regulation. Final FCP to be approved by the staff of the M-NCPPC prior to any clearing or grading for the new facility.
2. Applicant to remove all nonnative and invasive plants, and trash from all retained forests.
3. Applicant to save Tree No. 10, the April 2007 co-champion Chinese Chestnut (*Castanea mollissima*) using the measures outlined in Tree Save Option One dated March 19, 2007 (Attachment 7), and other appropriate measures as determined by a qualified arborist.
4. Applicant to build the MD 355 (Frederick Road) hiker-biker trail either within or to the east of the existing sidewalk where the trail crosses the critical root zone of Tree No. 9, and minimize grading within the critical root zone as further measures to protect the tree.

STAFF RECOMMENDATION NO. 2: APPROVE transmittal of the following comments to the Department of Public Works and Transportation:

1. Enhance the station's appearance from MD 355 by considering the elimination of the eastern driveway.
2. Install landscaping of the originally planned eastern driveway area with street trees, planted forty-five feet on-center.
3. Install hardwood trees, at the Boland Farm Road front entrance area, planted forty-five feet on-center.
4. Relocate the fueling activities to the station house area to increase the separation from adjacent residential properties.
5. Construct the stormwater management sand filter with a minimum 50-foot buffer from the Collins Drive residences by installing underground pipes beneath the parking area and elongating the sand filter pond eastward.
6. Construct a six-foot high solid wood or masonry fence as follows:
 - a. Along the southern property line between the area of the stormwater management facility and the Collins Drive residences.
 - b. Along the northwestern property line between the western driveway and the adjacent property at 20629 Boland Farm Road.
7. Modify outdoor lighting to ensure no light source is visible from neighboring properties.
8. Submit a Preliminary Plan of Subdivision followed by a Record Plat to create a single building lot for construction of the East Germantown Fire Station.

PROJECT SUMMARY

The Montgomery County Department of Public Works and Transportation (DPWT) intends to build a Class I fire station to serve the east Germantown area, as well as portions of Gaithersburg, Laytonsville and Clarksburg. The proposed one-story station will contain 22,000 square-feet. The facility will be located on a County-owned site located at 20633 Boland Farm Road on the southwest corner of MD 355 (Frederick Road) and the intersection of Boland Farm Road. The nearly four-acre site is zoned R-200 for single-family residential development. Construction is expected to begin in February 2008, and to be completed by June 2009.

Previous Planning Board Actions

On July 23, 1999, the Planning Board approved Mandatory Referral No. 99304-FRS-1, approving the sites for several fire and rescue stations in the Upcounty area, including the subject East Germantown Fire Station site. The Planning Board approval of the East Germantown Fire Station site was subject to several conditions. These conditions, as well as DPWT's responses, are as follows:

Comment 1: The applicant should submit a second mandatory referral for Planning Board review and approval when the site is acquired and schematic design is completed for the selected site. At the time of submittal, the application should be in compliance with applicable Montgomery County Regulations such as local area transportation review, stormwater management, water and sewer category designation, forest conservation, noise, landscaping, and lighting.

Response: The County owns the subject site, and the applicant submitted a completed schematic design and a revised second mandatory referral on February 23, 2007. Conceptual stormwater management approval has been granted for the proposal. Upon complying with this report's conditions, the plans will conform with County forest conservation, landscaping, environmental, and other regulations.

The proposal complies with zoning requirements for rear and side setbacks, but the building's frontage along MD 355 is five feet short of the zoning requirements. A building redesign or a reduced building program would be needed to meet the MD 355 setback since the building is already at the setback limits along the northwest property line. The elimination of the eastern driveway and the landscaping of the driveway area with street trees is recommended to compensate for the reduced setback.

Comment 2: The applicant and the Division of Facilities and Services should consult with agency staff when beginning facility planning to address compatibility with adjoining uses, setbacks and other site issues.

Response: Since the selection of the current site for the East Germantown Fire Station, staff met with the applicant initially in 2003 about preparing the Natural Resources Inventory/Forest Stand Delineation. Since August 2006, the applicant has worked with staff to address compatibility issues concerning the adjacent sites and setbacks, tree conservation (including that of "Champion" trees), stormwater management, and other matters. The applicant has cooperated in moving the stormwater management facility farther from the Collins Drive residences, substantially reducing parking, preserving more of the forested areas, and increasing landscaping and setbacks. This report's conditions encourage removing the eastern driveway along MD 355 and landscaping the driveway area with trees to help establish an appropriate presence for the facility along

MD 355. Other conditions provide for increasing the station's compatibility with its neighbors by planting more street trees at the building's Boland Farm Road entrance, moving the fuel dispensing and the stormwater management facilities farther from the Collins Drive residences, and installing screening fences along certain property boundary sections. These sections are along the northwestern property line between the western driveway and the adjacent Boland Farm Road property, and along the southern property line between the stormwater management facility and the Collins Drive residences. Finally, compatibility conditions are included to ensure that no outdoor light source is visible from neighboring properties.

Comment 3: The applicant and the Division of Facilities and Services should address the following issues through the facility planning and schematic design process.

- Submit a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) and preliminary Forest Conservation Plan (FCP).

Response: Complied; conditions included in this report for compliance with the final FCP.

- Submit a traffic analysis or traffic statement.

Response: Complied

- Obtain site access permission from the State Highway (SHA) for access to MD 355.

Response: The applicant decided to provide vehicular site access only from Boland Farm Road since existing slopes along the MD 355 frontage would require substantial grading.

- Prepare site and landscaping and lighting plans.

Response: Complied. This report includes conditions to ensure the landscaping and outdoor lighting are compatible with the surrounding neighborhood.

Comment 4: Observe recommended 50-foot setbacks from Collins Drive residences.

Response: Complied. The submitted plans provide a fifty-foot buffer except at the area of the stormwater management sand filter facility and extending beyond into a portion of the drainage pipe area. The report recommends that the drainage pipes be relocated underneath the parking lot so that the sand filter may be extended eastward and a 50-foot buffer from these residences may be obtained.

Comment 5: Locate access from MD 355 and Boland Farm Road. Avoid diagonal, direct access onto the intersection due to safety conflicts with pedestrians, bicyclists, and traffic signal poles.

Response: Complied. Access is only provided from Boland Farm Road due to slopes on MD 355 frontage.

Comment 6: Provide a maximum of 25-30 feet driveway width.

Response: Complied. Although the easternmost access drive exceeds 30 feet, this access point, which is about 120 feet from the MD 355 and Boland Farm Road intersection, satisfies the intent that driveways be a safe distance from the intersection.

Comment 7: Minimize grading to preserve existing woodland to the rear of the site.

Response: Complied.

Previous Development Applications

On March 4, 2004, Robert A. Pumphrey Funeral Homes, Inc. filed Special Exception Petition No. 2609 requesting use of the subject site (20620 Frederick Road) for a funeral parlor. The applicant sought to build a two-story, approximately 12,300-square foot facility with a chapel seating 196 persons and 168 parking spaces. The special exception application was abandoned in late 2004 after the County indicated interest in acquiring the subject property for a fire and rescue station.

PROJECT DESCRIPTION

Neighborhood Context – The site is in the Neelsville Village section of Germantown. The property consists of three parcels including 3.9 acres, zoned R-200 for low-density, single-family detached use. A medical office building, operating as a special exception, is immediately northwest and single-family detached residences are just south and southwest of the site. All of these adjacent properties are zoned R-200.

Project Description – The proposed one-story fire station will occupy the southwest corner of Boland Farm Road and MD 355 (Frederick Road), facing Boland Farm Road. The station will contain four apparatus bays initially holding one engine and two emergency medical units. Ultimately, five apparatus units will locate at the firehouse, and two-to-three other vehicular units may park at the station periodically. The facility will also contain offices, sleeping quarters, a 50-person training room, an exercise room, specialized equipment rooms and support space. The T-shaped building will be 28-feet high and constructed of brick and glass with a standing-seam metal roof. The facility will provide fifty-six parking spaces, including 40 for employees and three for the handicapped.

Fifteen-to-twenty fire and rescue workers per shift will staff the facility. Career and volunteer employees will arrive on-site at 7:00 a.m. and work 24-hour shifts. Training of up to 50 workers, including staff from other stations, will occur at times.

Subject Site – The property has frontage on both Frederick Road and Boland Farm Road, with a portion extending westward between the Boland Farm Road and Collins Drive properties. The site has a generally southerly, downward slope, and also a notable dip along the MD 355 frontage.

The property is forested, and it includes several large trees. Two of these trees (42-inch Chinese Chestnut trees) have been placed on the 2007 Register of Champion Trees as co-champion, replacing the tree formerly listed as the county champion. The station will have two access points on Boland Farm Road. The driveway to the apparatus bays will be about 120 feet from the MD 355 frontage and will also swing around the building's east front to the rear bay entrances. The other driveway will parallel the site's northwest boundary and lead to the parking lot as well as the rear bay entrances.

Proposed Landscaping – Landscaping includes several maple trees along the Boland Farm Road frontage, a row of oaks along MD 355, and a row of maples between the MD 355 bikepath and the proposed eastern driveway. Another row of trees, consisting of dogwoods and maples, will border the top of the retaining wall, and maples will also be planted along border sections and in islands in the parking lot. Leyland Cypress trees will help buffer the site's northwest boundary sections beside the western driveway and the parking lot. Finally, low evergreen plants will line the building's western façade and patio.

ANALYSIS

Master Plan Conformance – The proposal is consistent with the 1989 Approved and Adopted Germantown Master Plan, which shows the site for low-density residential use with R-200 zoning which allows for publicly owned and operated uses. The site is located in the NE-5 Analysis sub-area of Neelsville Village. Residential development at a density of two units per acre with continued R-200 zoning is recommended for the sub-area. The Plan states (page 83) that special exceptions considered for the sub-area should be compatible with the scale of the existing single-family houses.

The Master Plan neither projects the need nor shows locations for new fire stations. It notes the existing Germantown station and its planned addition on page 137. Concerning planning for future fire service, the Plan states:

Staffing and equipment needs will be reviewed periodically and expanded to reflect growth in the area.

And on the general planning for Community Facilities the Plan indicates (page 136):

The delivery of services is dependent on a number of factors such as size of client population; utilization rates; availability, location, and size of facilities, and operating budget allocations. The need for these facilities will change as the population of Germantown grows and matures.

The Plan further notes that the information for planning future facilities is provided by the responsible agencies. As part of its submission for this Mandatory Referral, the Montgomery County Department of Fire and Rescue Service (DFRS) related that planning for the subject station is based on their delineated “first-due” service area of 12.7 miles, a desired six-minute response time, and 2015 population projections of 34,360 persons and 11,500 households in the first response area.

Conformance with Development Standards – As noted, the subject site is in the R-200 Zone, which permits publicly owned and operated uses. Development standards relating to the proposal are listed in the following tables.

The proposed use meets the required zoning setbacks, except the MD 355 setback, which is five feet short. Maintaining the proper street frontage and streetscape along MD 355 is important, especially with the agency’s current effort to address the character of this corridor. An institutional use, such as this fire station, is appropriate for this location. Staff worked with the County and the consultants on the station’s design, and deliberated about various aspects such as setback requirements and the building’s street presence, but also other important considerations, including tree-save “Champion trees” and landscaping needs, and the location of the stormwater management facility and fueling activities.

Development Standards – R-200 Zone and Parking Facilities		
Development Standard	Required	Provided
Lot size	20,000 sq. ft.	169,910 sq. ft. (3.9 acres)
Building Setbacks		
– Front, Boland Farm Road	40'	40'
– Other front, corner lot, MD 355 ROW	40'	<u>35'</u>
– Rear, from Collins Drive homes	30'	125'
– Side, from Boland Farm Road	12'	45'
Building Height	50'	28'
Parking and Driveway Setbacks		
– Eastern driveway, from MD 355	10'	15'
– Western driveway, side setback, from adjacent Boland Farm Road property	12'	12'
– Parking lot, rear setback from Boland Farm Road properties	30'	150'
– Parking lot, rear setback from Collins Drive properties	30'	65'
Other Development Standards and Setbacks		
Required parking spaces	n.a.	56
– For motorcycles	2	2
– For bicycles	4	6
Interior parking lot greenspace	5.0%	6.0%
Landscape strip between east drive and MD 355 ROW	10'	15'
Lot coverage	25%	13.1%
Stormwater Management Facility Setbacks		
– Sand filter pond from Collins Drive properties	n.a.	35'
– Rim of stormwater management facility from Collins Drive properties	n.a.	25'
Fuel pumps from Collins Drive properties	n.a.	65'

Note: The “Provided” setback underlined in boldface does not meet the Zoning Ordinance setback requirement for a front setback on a corner lot. Although the applicant has provided a Department of Permitting Services (DPS) Code Interpretation Policy indicating that in some cases on corner lots, they may permit a side rather than a front setback, DPS has not so determined for the East Germantown Fire Station.

Compatibility – The lot's limited size and shape was challenging. Since the 1999 site selection, DFRS has expanded their program to include more apparatus units, more interior space, and a fueling station. Additionally, the Department prefers a one-floor arrangement to reduce potential injuries to fire and rescue personnel. The applicant explored various designs attempting to meet all requirements, and decided the current plans that slightly encroaches on the MD 355 setback was the best alternative since no immediate neighbor would be significantly impacted.

Due to the significance of the station's presence on the corridor, staff encourages the applicant to make a special effort to achieve an attractive appearance and to compensate for the setback encroachment. Staff recommends that the applicant remove the eastern driveway and revise the landscape plan to provide additional shade trees, planted 45 feet on-center, in the driveway area.

To protect the specimen 72-inch Silver Maple tree (Tree No. 9) in the site's southeast corner, the applicant has moved the 21-inch storm drain further east adjacent to Frederick Road away from the tree. To further protect the tree, staff suggests that the hiker-biker path section within the tree's critical root zone be built either within or to the east of the existing sidewalk where the trail crosses the tree's critical root zone. Also, the station's compatibility with its neighbors should be enhanced by planting hardwood trees, forty-five feet on-center, in the mulch beds at the building's front entrance area along Boland Farm Road.

The currently submitted institutional plans are appropriate for this site along MD 355. Staff suggests additional measures to meet the Zoning Ordinance's intent that properties should be compatible with their neighbors and protected from adverse impacts of adjacent uses, and that adequate separation and buffering be two measures used to achieve these objectives. Staff recommends relocating the drainage pipes for the stormwater management facility underneath the parking lot and elongating the sand filter pond eastward, so that the buffer area for the sand filter will be at least 50 feet from the Collins Drive properties. (A buffer area of 35 feet would then be provided between the berm for the facility and the property line, about the maximum staff believe possible with the forest save requirements.)

Additionally, staff recommends moving the fueling operations farther from the Collins Drive residences to provide compatibility with these neighbors. Staff notes that while "publicly supported fire stations" are a permitted use in residential zones, "automobile filling stations" are not. Since DFRS policy requiring that all fire stations include fueling operations was enacted after this site's purchase, staff recommends that these operations be moved closer to the building, on the side of the station facing Boland Farm Road.

As a final compatibility measure, staff recommends installing a six-foot high, solid wood or masonry fence, along the southern property boundary between the Collins Drive residences and the stormwater management facility, and along the northwest property line between the western driveway and the Boland Farm Road property.

Transportation and Access – The proposed East Germantown Fire Station is located in the southwest quadrant of the intersection of MD 355 and Boland Farm Road. The 1989 Germantown Master Plan recommends Frederick Road (MD 355) as a six-lane major highway within a 150-foot wide right-of-way adjacent to the site. MD 355 is a six-lane divided highway in the vicinity of the site. The applicant proposes to convey the property needed for the 150-foot-right-of-way to the Maryland State Highway Administration via a roadway construction plat. Staff determined that since the property will combine three parcels into one, the applicant should submit a Preliminary Plan of Subdivision followed by a Record Plat to create a single building lot for construction of the facility. The Master Plan recommends Boland Farm Road as a four-lane arterial with an 80-foot wide right-of-way. This recommended right-of-way already exists in the site's vicinity, and no right-of-way dedication will be required on Boland Farm Road. The site plan includes a five-foot wide concrete sidewalk along Boland Farm Road leading to the existing sidewalk along MD 355 to be relocated for the hiker-biker path. Staff recommends that the eight-foot wide boardwalk section be provided at the site's southeast corner at the location of the specimen Silver Maple tree, avoiding the tree's critical root zone.

Staff reviewed the submitted traffic statement and concur that traffic generated by the proposed fire station is not expected to have an adverse effect on the adjacent roadway network. Based on information contained in the traffic statement, the site would generate eight peak hour trips during the morning peak period (6:30 a.m. to 9:30 a.m.) and 12 peak hour trips during the evening peak period (4:00 p.m. to 7:00 p.m.). *A Local Area Transportation Review is not required to satisfy the Adequate Public Facilities review.*

Circulation –The site is proposed to have two full movement access points from Boland Farm Road. One of these points will be to the employee parking lot, and the other restricted to fire apparatus, the visitor parking area and fire station. A traffic signal will be installed at the intersection of MD 355 and Boland Farm Road for the fire station, and the intersection modified to permit emergency vehicles to enter northbound MD 355 from Boland Farm Road. Staff finds that the proposed access onto MD 355 via Boland Farm Road, and internal traffic circulation as shown on the site plan are adequate to accommodate safe operation of the East Germantown Fire Station.

Parking – Fifty-six parking spaces, including three spaces for the handicapped, two motorcycle spaces, and a bicycle rack for six are provided. Parking needs have been determined on the basis of the 15 to 20 workers per shift at the 7:00 a.m. shift overlap, the provision of visitor spaces, and the maximum 50 workers expected for some training classes which will convene after the shift change occurs. No parking will be permitted on Boland Farm Road or MD 355.

Bicycle and Pedestrian Access – The Countywide Bikeways Functional Master Plan recommends a shared-use path along MD 355 and the path is being implemented along the west side of the roadway. The site plan also includes an eight-foot-wide concrete hiker biker-trail along MD 355 in accordance with the Master Plan. Staff recommends that a boardwalk section be installed at the southwest corner of the site adjacent to the

Silver Maple tree, (identified as tree number nine), avoiding the root zone, to ensure the protection of this specimen tree. In discussions before the completion of this final report, the applicant agreed they would provide room inside the station for storing employee bicycles as well as outdoor racks for six bikes in response to a staff request for outdoor bike lockers.

Landscaping and Lighting – Staff recommends enhancing the station's street presence and providing compatibility with its neighbors by eliminating the eastern driveway and revising the landscape plan to provide for planting the former driveway area with street trees, planted forty-five feet on-center, along Boland Farm Road. Additionally, achieving compatibility is recommended by revising the outdoor lighting plans to ensure that no outdoor lighting source will be visible from neighboring properties.

Forest Conservation Law Compliance – The 3.90-acre site has an approved Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) (No. 4-03290) granted in July 2003 and recertified in September 2006. Staff have reviewed the Preliminary Forest Conservation Plan (FCP) submitted for the project. There are 2.69 acres of existing forest on the site. The applicant intends to clear 1.90 acres, which generates a 0.62-acre forest planting requirement. The applicant proposes to meet this requirement by a combination of 0.02-acre landscape credit, 0.11-acre on-site planting, and contributing 0.49-acre to a suitable offsite reforestation bank. By doing this the applicant will meet the requirements of forest conservation law. Staff recommends approval of the FCP with conditions.

Removal of Specimen and Champion Trees - The site contains 11 large trees ranging in diameter from 28 inches to 72 inches. One 27-inch White Pine and one 48-inch Silver Maple are located on private lands just off the northern and southern property boundaries. Because the Preliminary FCP was submitted to the M-NCPPC for review early in the process, it allowed time for staff to work with the Fire Department to save as many of these large trees as possible. Since it was submitted, the County Council amended the forest conservation law and adopted the Champion Tree Bill (Bill No. 45-06 of October 26, 2006) identifying champion trees. Staff subsequently identified four Chinese Chestnut trees on the site as potential champion trees and nominated them to the Montgomery County Forestry Board. On January 31, 2007, the Forestry Board confirmed that the Chinese Chestnut trees measured on the site all exceeded the point total of the current County champion. Two of the trees (42-inch tree No. 12 and 42-inch tree No. 10) have been placed in the 2007 Register of Champion Trees as the new County co-champions, replacing the Chinese Chestnut tree that was formerly listed as the County champion.

The applicant proposes to remove eight of the eleven large trees, including all four Chinese Chestnut trees. Staff believe that more large trees can be saved. With the existing building design and layout at least one of the champion trees (tree No. 10) can be saved if the Fire Department takes appropriate pre and post construction measures as outlined in their Tree Save Option One submitted to Environmental Planning in March 2007. Staff evaluated the tree and listed its condition as 'an older tree that

although showing signs of age is nevertheless in good condition'. In our negotiations through mid-March 2007, the Fire Department intended to save the tree and submitted an arborist's design that showed the measures they would use to save it. Even when meeting with staff on April 23, 2007, the applicant's reasons for removing the co-champion tree then seemed to be resolvable. Consequently, we have conditioned our approval of the FCP on that tree being saved.

One other large tree (a 72-inch, multi-stemmed Silver Maple, tree No. 9) is shown as 'saved' on the FCP. The project's engineers have moved the 21-inch storm drain 14 feet further east, away from the tree as a measure to save it. The M-NCPPC arborist certifies that Tree No. 9 is in fair to good condition. It will survive if trenching equipment is not stationed near the base of the tree, if grading within the critical root zone is minimized, and if the hiker/biker trail design is modified where it crosses the tree's critical root zone.

The Fire Department has provided justification for the design requirements that necessitate removal of the site's large trees. The building must meet County project program requirements for a one story, four-bay building with additional requirements for support functions such as training. The design must allow for required surface parking, front and rear aprons for four bays, access drive, and stormwater management facilities on-site. The M-NCPPC, DPWT, Fire & Rescue, and the County Council approved the site for development before the Champion Tree law was passed. The site is odd-shaped and slopes about 20 feet towards the rear. The site's shape and total area of 3.90 acres with the corresponding requirements to address forest conservation, compatibility, stormwater management, and landscape issues, do not allow the fire station to be built as designed, unless some of the large trees are removed.

While the law affords a higher level of protection for champion trees, it does not prohibit their removal and they do not have to be saved if there is no option within the design to avoid taking them down. Staff have determined that due to the constrained site, construction of the station as designed will require the removal of seven of the large trees, but that all others including tree Nos. 9 and 10 should be saved.

During the design process, staff met with the Fire Department and their consultants on several occasions to explore alternative designs. Requirements for the station had been expanded considerably since the site was originally chosen, making it impossible to meet all the recommendations of the previous mandatory referral. In an effort to conserve forest and save some of the site's large trees, the Fire Department reduced the number of parking spaces by 57 percent (from 95 spaces to 55 spaces) and moved the building closer to Boland Farm Road. The Fire Department also proposed measures to save Chinese Chestnut champion tree No. 10. These measures are dependent on WSSC allowing a slight encroachment into a water and sewer easement near Boland Farm Road and a slight encroachment into the setback along Frederick Road has also been accommodated. WSSC has indicated that while their policy is not to allow encroachment into their easements, they have allowed such encroachments in the past, and listed two options that facilitate the process.

Staff recommends approval of the mandatory referral and the Preliminary FCP only if DFRS is required to save Tree No. 10, the 42-inch Chinese Chestnut tree. This tree is the co-champion tree for its species in the County. Preservation of the Tree No. 10 will not compromise the program elements identified by the DFRS, and the DPWT Arborist has prepared a plan that shows the tree can be saved (see Attachment 7).

Environmental Guidelines – There are no wetlands or streams on the property. The applicant has taken steps to save forest where possible, per the Environmental Guidelines (*Guidelines for Environmental Management of Development in Montgomery County*) although more could have been done to maximize forest retention near the stormwater management facility.

Water Quality – The site is in the Gunners Branch subwatershed of the Middle Great Seneca Creek Watershed. Great Seneca Creek is classified as a Use I-P watershed. The *Countywide Stream Protection Strategy* (CSPS, 2003 Update) lists the subwatershed's stream quality and current habitat status conditions as 'good' and habitat stability as 'unstable' based on data available at that time. This large tributary drains portions of Germantown, which have relatively new developed areas with stormwater controls. Gunners Branch has been designated a Watershed Restoration Area indicating a need to treat varying degrees of stream degradation, primarily from the effects of uncontrolled runoff.

Stormwater Management – The applicant has submitted a stormwater management concept plan to the Montgomery County Department of Permitting Services (DPS) for their review. The key aspects of this plan are based on the unusually high infiltration rates of the sub-surface soils and on providing a membrane-lined surface sand filter with a pre-treatment device. The initial plan addressed quantity control by providing an underground pipe detention system consisting of 180 feet of 90-inch diameter aluminized corrugated metal pipes. This detention system was sufficient to control the peak discharge rate of runoff from 1-year storm frequency and to accommodate the peak discharge from the 10-year storm frequency under developed conditions. In response to reported flooding and the concerns of neighbors down slope from the proposed fire station, DPS indicated the need to provide quantity controls for the 10-year and 100-year storm frequencies. The submitted plan was then revised to comply with this requirement by increasing the pipe size to 108-inch diameter and by lowering the storm drainage system accordingly.

The stormwater concept is designed to reduce mainly sheet flow from the site (currently approximately 4 cfs) to 1.5 cfs and convey it via a 21-inch pipe to an existing 24-inch pipe south of Collins Drive. This pipe currently discharges overland onto private property along Collins Drive. Water volume entering the pipe from the fire station site may be reduced, as more of the fire station's storm water will be detained on-site. The flow may be slightly more concentrated during peak rainfall events. The applicant should consider obtaining a new storm drain easement to the proposed downstream drainage easements planned by the new townhouse development south of Collins Drive, to address the issue of overland discharge onto private property and to avoid potential future conflict with the homeowner(s).

LEED Design – The fire station building is currently targeting a Leadership in Energy and Environmental Design (LEED) “Silver” rating. Sustainable recycled materials, daylight, and energy efficient systems are all being incorporated into the design to achieve the rating. Per the LEED checklist for the fire station, the project will seek credit for stormwater facility design, use of low-emitting and fuel-efficient vehicles, construction waste management and recycling, and reduction in the heat island effect (through roof design), among other measures.

COMMUNITY OUTREACH

Staff contacted community organization representatives and immediate neighbors, and advertised the proposal on the M-NCPPC website. Additionally, our agency, the Upcounty Regional Services Center, DPWT, and DFRS jointly held a meeting (also advertised on the agency website) in Germantown on February 27, 2007, to present the station plans.

Residents have expressed a range of opinions on the proposed station. Staff have received positive comments from residents looking forward to the station’s construction and to improved fire and rescue service, including one resident who was pleased that workers will not need to leave the station for training. Other comments included a neighbor calling to identify a concern with potential noise from sirens and their potential frequency, the potential loss of the Chinese Chestnut trees, and other possible impacts of the station on adjacent residences.

Since the original March 29 staff report’s release, we met with two concerned neighbors of the planned station (see Ed Neal’s letter) along with the applicant and their consultants. The neighbors were most concerned about the facility’s potential stormwater runoff, as stormwater flooding has seriously affected the neighborhood, and even contaminated at least one Collins Drive well. Other concerns were the site selection process, doubts of the accuracy of estimated emergency vehicle travel times (one of the reasons for the site’s selection), and the neighbors’ belief that better sites (in commercial zones) were available. Some neighbors think future traffic on MD 355 will slow emergency response time, and that the station may adversely affect neighboring residences by potentially dumping hazardous waste, and by excessive noise and outdoor lighting. These neighbors were aware of acoustical attenuation for roadway noise, measures the Planning Board recommended in its November 30, 2006 Site Plan Review of the Towns of Boland Farm townhouses (No. 820050420) just south of Collins Drive, and hoped the Planning Board would “hold harmless” the Collins Drive homes from potential noise from the planned fire station by installing attenuation devices that would muffle the emergency sirens.

In response to the neighbors’ complaints, staff notes that the County Government selected two candidate sites for the East Germantown Fire Station, from which the Planning Board selected the subject site in July 1999. Staff believe the current site is suitable and with the recommended conditions, will be compatible with its neighbors.

Concerning potential site noise, DFRS estimates that about 20 to 24 responses daily, might be expected when the station is fully operational. Emergency sirens themselves are exempt from noise controls which are the purview of the Department of Permitting Services (DPS). The noise retrofitting required for the Boland Farm townhouses (designed for a noise level of up to 45 dBA Ldn) were built into the townhomes, and would not attenuate louder noises, such as sirens.

This report's outdoor lighting, fencing, landscaping and Forest Conservation Plan recommendations are intended to screen the station's outdoor lighting. The report conditions recommend that no outdoor lighting source be visible from neighboring properties, and that solid six-foot high fences be built along the northwest property border beside the west driveway, and between the stormwater management facility and the Collins Drive residences. Staff worked with County staff and their consultants before project submission to maximize retention of the site's forested areas and to enhance screening of the parking lot and west driveway and their outdoor lighting by planting evergreen trees along the northwest property line adjacent to the west driveway and on the northern and southern property lines in the parking lot vicinity. DFRS reports they will not be depositing any hazardous wastes into the storm sewers. To better protect neighboring homes, staff recommends moving the proposed fueling activity farther from the Collins Drive properties to another site location.

Staff believes the surrounding road network has adequate capacity to accommodate the station, and that traffic generation from the site will not adversely affect the community. Transportation Planning concludes that they believe the subject site is an accessible location for its intended purpose.

The applicant stated the primary reason they deferred their original Planning Board hearing date was the surfacing of neighbors' complaints of stormwater flooding on the subject site and Collins Drive properties. DPS recommended that the applicant revise their stormwater management plans to provide quantity controls for 10- and 100-year frequencies by increasing their pipe size from 90 to 108 inches, and by lowering the storm drainage system. The applicant has complied. DPWT and DPS have re-examined other elements of the system, including the need for any downstream improvements, conveyance patterns, and whether a new easement is needed for discharge into the existing stormwater management system. The applicant incorporated several additional improvements to the system to enhance both its quantity and quality controls. Additionally, staff has reviewed the stormwater management information provided for this project and believes that a possibility for accelerated erosion and flooding of two Collins Drive properties does exist. Staff recommends that DFRS consider obtaining a new easement to the proposed downstream drainage easements planned by the townhouse development at the Towns of Boland Farm (possibly requiring the modification of the forest conservation easement established by the townhouse development).

APPLICANT RESPONSE TO STAFF RECOMMENDATIONS

The applicant responded to staff recommendations on forest conservation by indicating they will comply with our recommendation to clear forest areas of non-native invasive plant species and trash, and that they will work with the M-NCPPC on the appropriate design of the hiker-biker trail where it crosses the critical root zone of Tree No. 9, the Silver Maple specimen tree. The applicant doubts they can save Tree No. 10, the Champion Chestnut tree, because grading will damage its roots. The applicant believes the currently submitted Landscape Plan is sufficient for approval by the Planning Board.

The applicant responded that the eastern driveway is needed for emergency response and cannot be removed and replaced with landscaping. The applicant does propose planting one shade tree at the Boland Farm front entrance area.

The applicant states that the planned fueling activities cannot be relocated due to the site's size, program requirements, and layout, and that the overall parking layout does not permit a 50-foot buffer between the sand filter element of the stormwater management pond and the Collins Drive homes. The applicant does not agree to provide the fencing staff requested, but will modify the outdoor lighting along the site's west driveway to the minimum code requirement. The applicant has provided outdoor bike racks in response to a staff request for bike lockers, and notes that workers are permitted to bring their bikes indoors for storage. Finally, the applicant does not think the recommended preliminary plan of subdivision requirement, which will add several months and further costs, should apply to their public project.

CONCLUSION

The East Germantown Fire Station will be one of three fire stations to serve the fire and rescue needs of Germantown and the Upcounty area. Other stations include the West Germantown Fire Station reviewed as a Mandatory Referral in May 2006, and the existing Station #29 in the Germantown Town Center built in 1981.

These stations are critical to meeting response times identified by the Department of Fire and Rescue Service that were not in place when the 1989 Germantown Master Plan was adopted. The Planning Board conducted a site selection review in which the facility need was depicted as 19,550-20,135 square-feet with 20 personnel. During the site selection review conducted in July 1999, the Planning Board advised that a 50-foot setback to the residential properties to the rear would be desirable to achieve compatibility with the existing residences on Collins Drive. The Collins Drive residences were built in the mid-1950's, long before consideration of a public facility adjacent to these homes.

Preservation of Tree No. 10 will not compromise the program of requirements, access and operations of the fire station. The applicant has made a number of other adjustments to the project to reduce parking, meet minimum standards for setback, and increase landscaping.

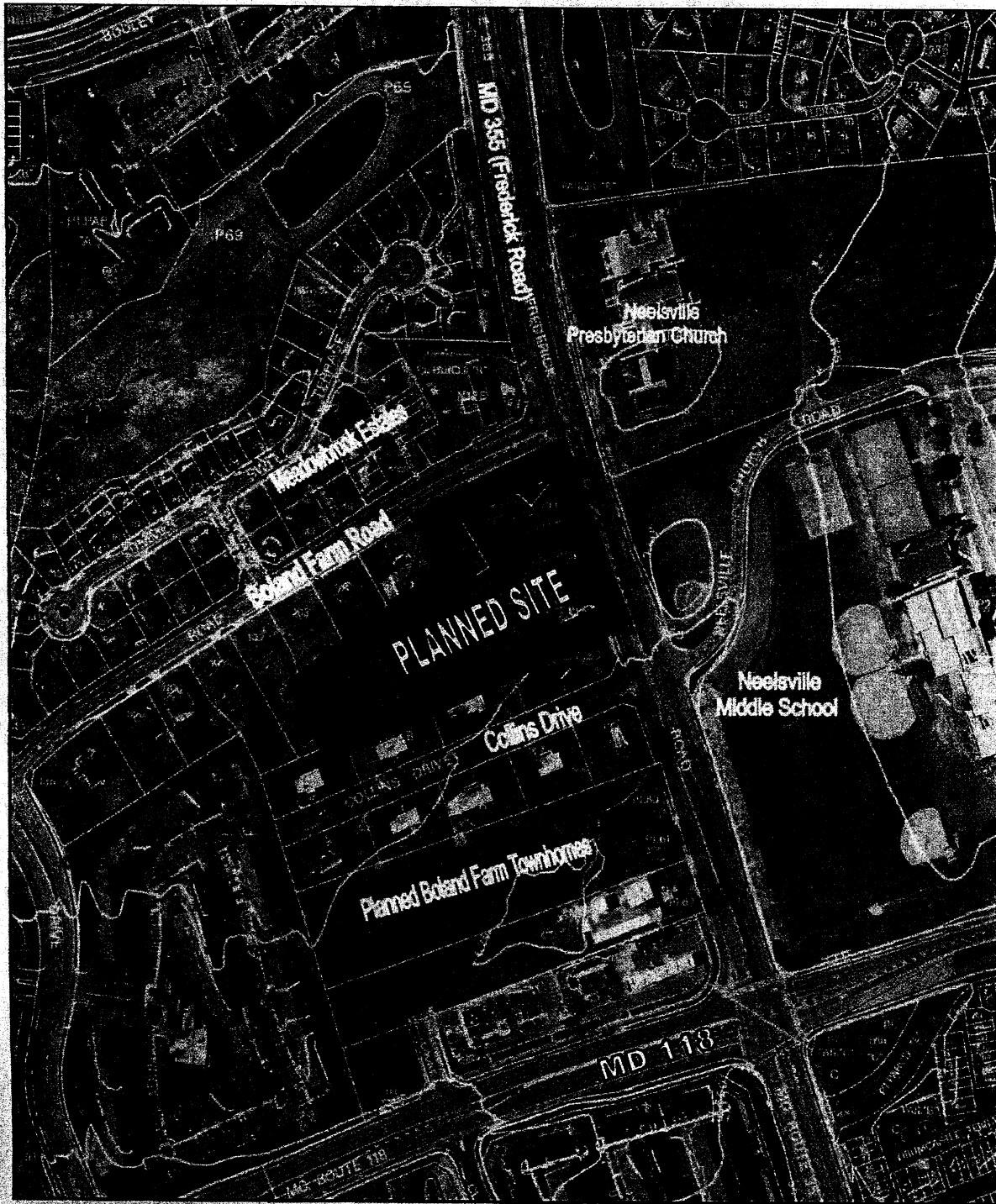
Staff recommends approval to transmit the comments described on pages 1 and 2. Staff recommends approval with conditions of the Preliminary Forest Conservation Plan for Mandatory Referral No. 07304-DPW&T-1.

PJ:ha: j:\2007 staff reports\team 3\East Germantown Fire Station Revised

Attachments

1. Vicinity Map – Planned East Germantown Fire Station
2. Comprehensive Zoning Map
- 3a. Revised Site Plan
- 3b. Revised Landscape Plan
4. Elevations
5. Floor Plans
6. Memorandum from Transportation Planning
7. Memorandum from Environmental Planning
8. Correspondence

PLANNED EAST GERMANTOWN FIRE STATION



Map compiled on February 06, 2007 at 4:15 PM | Site located on base sheet no - 226NW12 | Date of Orthophoto: April 2006 - Used with permission from Montgomery County Government

NOTICE

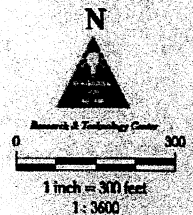
The planimetric, property and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

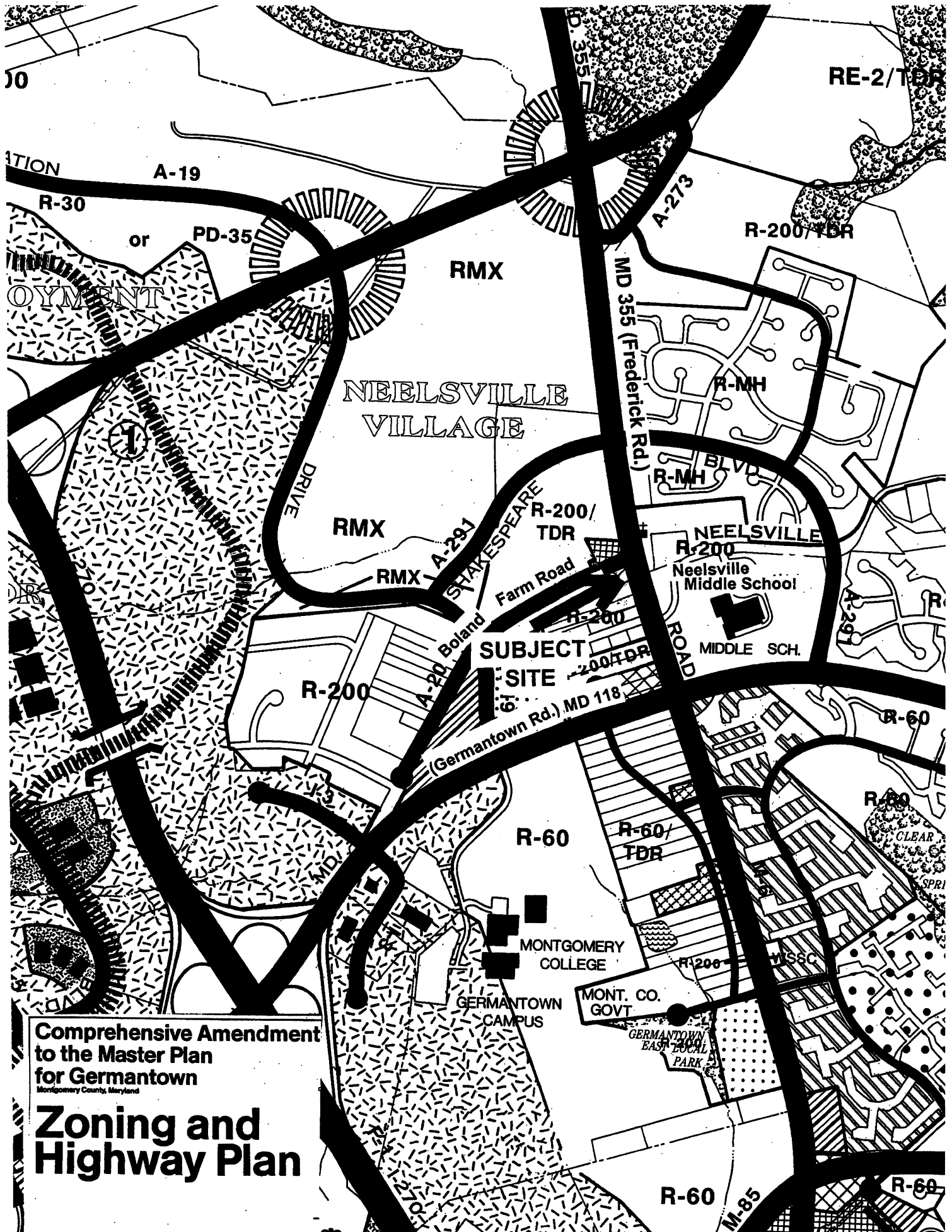
Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:4400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. Copyright 1999

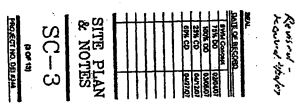
MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
2007 Chicago Avenue - Silver Spring, Maryland 20906-2700

Key Map





REVISED SITE PLAN

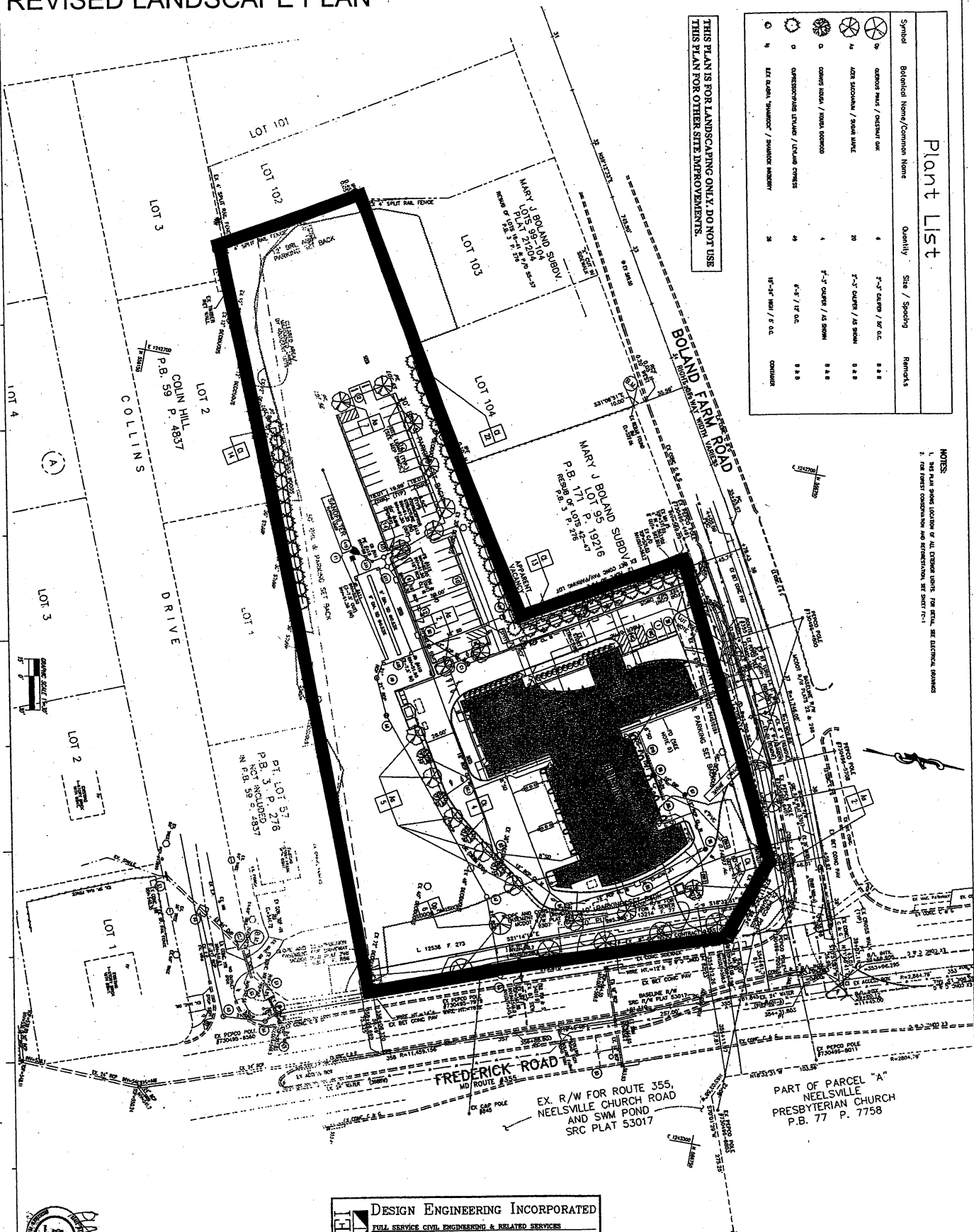


REVISED LANDSCAPE PLAN

NOTES:

1. BAS PLAN SHOWS LOCATION OF ALL EXTERIOR UNITS. FOR DETAIL, SEE ELECTRICAL DRAWINGS.
2. FOR FOREST CONSERVATION AND RESTORATION, SEE SHEET FC-1

THIS PLAN IS FOR LANDSCAPING ONLY. DO NOT USE THIS PLAN FOR OTHER SITE IMPROVEMENTS.



PARTS OF LOTS 48 THRU 57

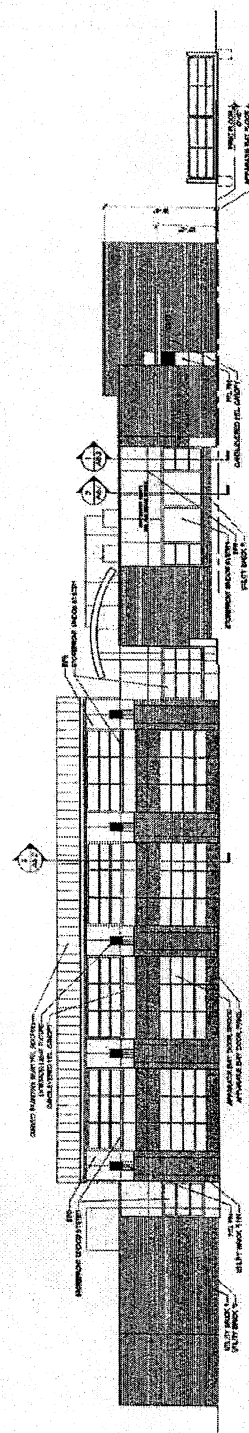
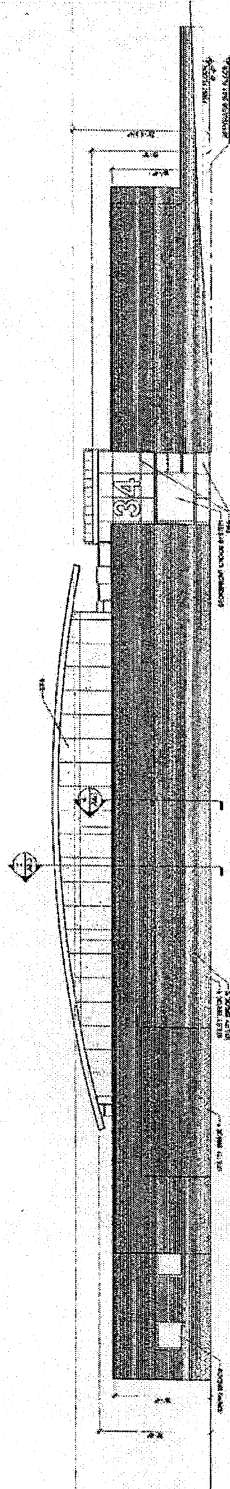
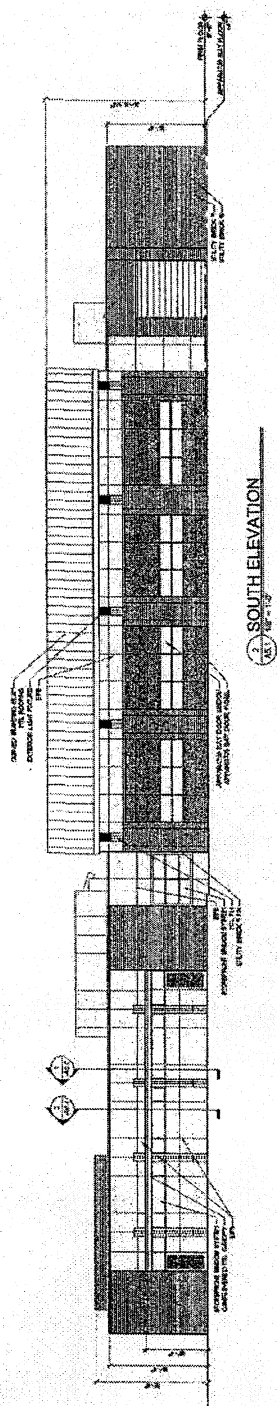
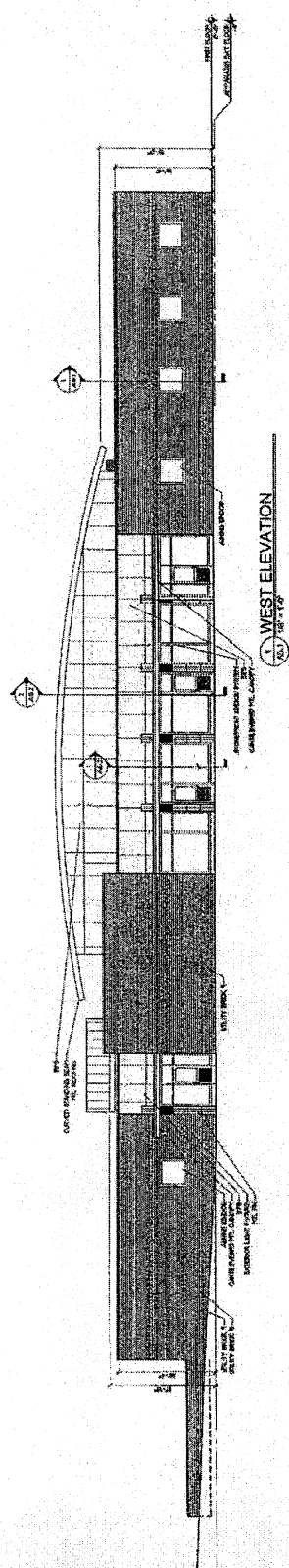
GERMANTOWN
Boland Farm Road
Germantown, Ma

DESIGN ENGINEERING INCORPORATED

FULL SERVICE CIVIL ENGINEERING & RELATED SERVICES
18229-A FLOWER HILL WAY CAITHERSBURG, MARYLAND 20879
PHONE: (301) 258-1173 EXT. 102 FAX (301) 258-0690
CONTACT PERSON: PRITAM ARORA E-MAIL: parora@del.us.com

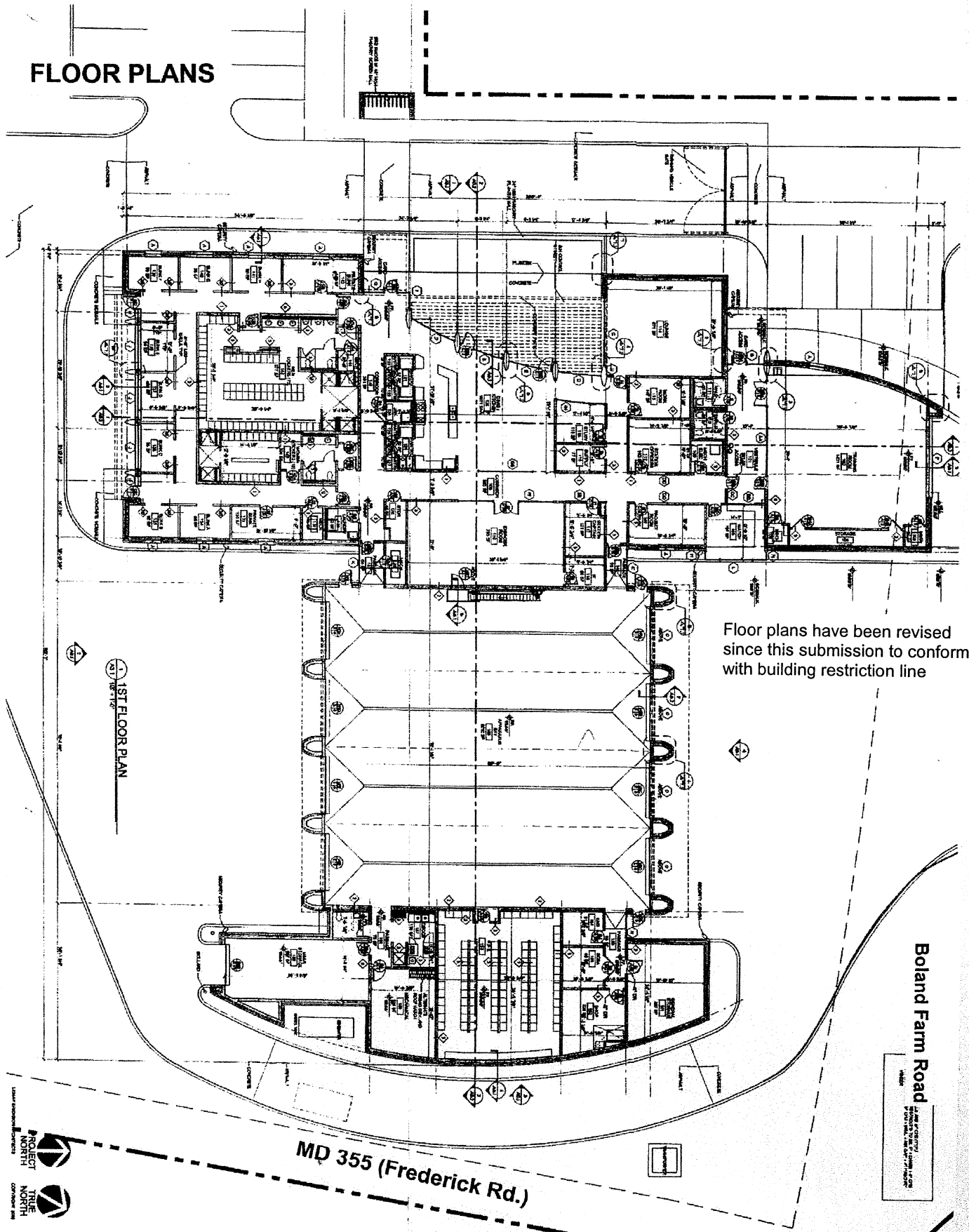
5237 - 103.56
PART OF PARCEL "A"
NEELSVILLE
PRESBYTERIAN CHURCH
P.B. 77 P. 7758

ELEVATIONS



ATTACHMENT 5

FLOOR PLANS



A3.1

1ST FLOOR PLAN

GERMANTOWN
20633 Boland Farm Road
Germantown, Maryland 20876

LeMay Erickson Architects • 11250 Roger Bacon Drive, Ste. 16 • Reston, Virginia 20190 • Ptn. (703) 956-5600 • Fax (703) 471-7781 • www.lemayerickson.com



ATTACHMENT 6

March 19, 2007

MEMORANDUM:

TO: Pamela Johnson
Community-Based Planning Division

VIA: Daniel K. Hardy, Supervisor
Transportation Planning

FROM: Ki H. Kim, Planner Coordinator
Transportation Planning

SUBJECT: Mandatory Referral 073004-DPW&T-1 - East Germantown Fire Station,
Germantown

Transportation Planning staff has reviewed the subject Mandatory Referral application and recommends the following comments in support of the approval of the subject Mandatory Referral application:

1. The site should include two bike lockers to encourage employees/volunteers to bike to work.
2. The applicant shall dedicate the master planned MD 355 right-of-way along the site's frontage as shown on the site plan.

Discussion

The proposed East Germantown Fire Station is located in the southwest quadrant of the MD 355/Boland Farm Road intersection in Germantown.

Staff has reviewed the submitted traffic statement and concurs that the traffic generated by the proposed fire station is not expected to have an adverse effect on the adjacent roadway network. Based on the information contained in the traffic statement, the site would generate 8 peak hour trips during the morning peak period (6:30 am to 9:30 am) and 12 peak hour trips during the evening peak period (4:00 pm to 7:00 pm). Therefore, the site would not require a Local Area Transportation Review study to satisfy the Adequate Public Facilities review.

The 1989 Germantown Master Plan recommends Frederick Road (MD 355) as a six-lane major highway within 150-foot right-of-way adjacent to the site. MD 355 exists as a six-lane divided highway in the vicinity of the site. The applicant is required to dedicate additional right-of-way as shown on the site plan to meet the master planned right-of-way. Boland Farm Road is not a master planned road (Old MD 118). There is sufficient right-of-way existing along Boland Farm Road, approximately 70 feet wide, to provide safe access to the proposed fire station. The site plan includes a five-foot-wide concrete sidewalk along Boland Farm Road to lead to the existing sidewalk on MD 355.

The Countywide Bikeways Functional Master Plan recommends a shared-use path along the west side of MD 355. The site plan includes an eight-foot-wide concrete hiker biker trail along MD 355 per the master plan. Staff recommends that the site include installation of two bike lockers to encourage some of the 20 employees/volunteers to bike to work and reduce single-occupant car travel. The bike lockers should be located close to the building, or alternatively on the parking lot.

The site is proposed to have two full movement access points, one to the employee parking lot and the other one to the fire station, from Boland Farm Road. A traffic signal will be installed at MD 355/Boland Farm Road intersection as a part of this project. Staff finds that the proposed access onto MD 355 via Boland Farm Road, and internal traffic circulation as shown on the site plan are adequate to accommodate safe operation of the East Germantown Fire Station.



ATTACHMENT 7

MONTGOMERY COUNTY PLANNING DEPARTMENT THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MEMORANDUM

DATE: May 10, 2007

TO: Pamela Johnson, Community Based Planning

VIA: Jorge Valladares, Environmental Planning

FROM: Michael Zamore, Environmental Planning

SUBJECT: 1. Forest Conservation Plan for Mandatory Referral No. 07304-DPWT-1:
New Germantown (East) Fire Station

2. Mandatory Referral No. 07304-DPWT-1: New Germantown (East) Fire Station

STAFF RECOMMENDATIONS:

1. **Approval** of the Preliminary Forest Conservation Plan, with the following conditions:
 - a) Applicant to submit a Final Forest Conservation Plan that meets the requirements of Section 109(B) of the Forest Conservation Regulation. Final FCP to be approved by M-NCPPC Staff prior to any clearing or grading for the new facility.
 - b) Applicant to remove all nonnative and invasive plants and trash from all retained forests.
 - c) Applicant to save Tree No. 10, the April 2007 co-champion Chinese Chestnut (*Castanea mollissima*) using the measures outlined in Tree Save Option One dated March 19, 2007 (Attachment A), and other appropriate measures as determined by a qualified arborist.
 - d) Applicant to build the MD 355 (Frederick Road) hiker-biker trail either within or to the east of the existing sidewalk where the trail crosses the critical root zone of Tree No. 9, and to minimize grading within the critical root zone, as further measures to save the tree.
2. **Approval** of Mandatory Referral No. 07304-DPWT-1 for the new Germantown (East) Fire Station

Discussion

Forest Conservation Law Compliance

The 3.90-acre site has an approved Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) (No. 4-03290) granted in July 2003 and recertified in September 2006. Environmental Planning staff has reviewed the preliminary forest conservation plan (FCP) submitted for the project. There are 2.69 acres of existing forest on the site. The applicant intends to clear 1.90 acres, which generates a 0.62 acre forest planting requirement. The applicant proposes to meet this requirement by a combination of 0.02 acre landscape credit, 0.11 acre onsite planting, and contributing 0.49 acre to a suitable offsite reforestation bank. By doing this the applicant will meet the requirements of forest conservation law. Environmental Planning staff recommends approval of the FCP with conditions.

Removal of Specimen and Champion Trees

The site contains 11 large trees ranging in diameter from 28 inches to 72 inches. One 27" white pine and one 48" silver maple are located on private lands just off the northern and southern property boundaries, respectively. Because the Preliminary FCP was submitted to M-NCPPC for review early in the process, it allowed time for Environmental Planning staff to work with the Fire Department to save as many of these large trees as possible. Since it was submitted, the County Council amended the forest conservation law and adopted the Champion Tree Bill (Bill No. 45-06 of October 26, 2006) identifying champion trees. Park and Planning Staff subsequently identified four Chinese Chestnut trees on the site as potential champion trees and nominated them to the Montgomery County Forestry Board. On January 31, 2007 the Forestry Board confirmed that the Chinese Chestnut trees measured on the site all exceeded the point total of the current County champion. Two of the trees (42-inch tree No. 12 and 42-inch tree No. 10) have been placed in the 2007 Register of Champion Trees as the new County co-champions, replacing the Chinese Chestnut tree that was formerly listed as the County champion.

The applicant proposes to remove eight of the eleven large trees, including all four Chinese Chestnut trees. We believe that more large trees can be saved with a more compatible building design and layout. Even with the existing building design and layout at least one of the champion trees (tree No. 10) can be saved if the Fire Department takes appropriate pre and post construction measures as outlined in their Tree Save Option One submitted to Environmental Planning in March 2007. An M-NCPPC arborist evaluated the tree and listed its condition as 'an older tree that although showing signs of age is nevertheless in good condition'. In our negotiations through mid-March 2007, the Fire Department intended to save the tree and submitted an arborist's design that showed the measures they would use to save it (Attachment A). Even when meeting with staff on April 23, 2007 the applicants' reasons for removing the co-champion tree then seemed to be resolvable. Consequently, we have conditioned our approval of the FCP on that tree being saved.

One other large tree (a 72-inch multi-stemmed silver maple, tree No. 9) is shown as 'saved' on the FCP. The project's engineers have shifted the 21-inch storm drain up to 14 feet further east, away from the tree, as a measure to save it. The M-NCPPC arborist certifies that Tree No. 9 is in fair to good condition and will survive if equipment used for trenching is not stationed near the base of the tree, if grading within the critical root zone is minimized, and if the hiker/biker trail design is modified where it crosses the tree's critical root zone.

The Fire Department has provided justification of the design requirements that necessitate removal of the site's large trees. The building must meet County CIP project program requirements for a one story, four-bay building with additional requirements for support functions such as training. The design must allow for required surface parking, front and rear aprons for four bays, access drive, and stormwater management facilities onsite. M-NCPPC, DPW&T, Fire & Rescue, and the County Council approved the site for development before the Champion Tree law was passed. Moreover, the site is odd-shaped and slopes about 20 feet towards the rear. The site's shape and total area of 3.90 acres with the corresponding requirements to address forest conservation, compatibility, stormwater management, and landscape issues, do not allow the fire station to be built as designed, unless some of the large trees are removed.

While the law affords a higher level of protection for champion trees, it does not prohibit their removal and they do not have to be saved if there is no option within the design to avoid taking them down. We have determined that due to the constrained site, construction of the station as designed will require the removal of seven of the large trees but that all others including tree Nos. 9 and 10 can be saved.

During the design process, Environmental Planning staff met with the Fire Department and their consultants on several occasions to explore alternative designs. Requirements for the station had

been expanded considerably since the site was originally chosen, making it impossible to meet all the recommendations of the previous mandatory referral. In an effort to conserve forest and save some of the site's large trees the Fire Department reduced the number of parking spaces by 57% (from 95 spaces to 55 spaces) and moved the building closer to Boland Farm Road. The Fire Department also proposed measures to save Chinese Chestnut champion tree No. 10. These measures are dependent on WSSC allowing a slight encroachment into a water and sewer easement near Boland Farm Road; a slight encroachment into the setback along Frederick Road has also been accommodated. WSSC has indicated that while it is not their policy to allow encroachment into their easements they have allowed such encroachments in the past, and listed two options that facilitate the process.

Environmental Guidelines

There are no wetlands or streams on the property. The applicant has taken steps to save forest where possible, per the Environmental Guidelines (*Guidelines for Environmental Management of Development in Montgomery County*) although more could have been done to maximize forest retention near the stormwater management facility.

Water Quality

The site is in the Gunners Branch subwatershed of the Middle Great Seneca Creek Watershed. Great Seneca Creek is classified as a Use I-P watershed. The *Countywide Stream Protection Strategy* (CSPS, 2003 Update) lists the subwatershed's stream quality and current habitat status conditions as 'good' and habitat stability as 'unstable' based on data available at that time. This large tributary drains portions of Germantown, which have relatively new developed areas with stormwater controls. Gunners Branch has been designated a Watershed Restoration Area indicating a need to treat varying degrees of stream degradation, primarily from the effects of uncontrolled runoff.

Stormwater Management

The applicant has submitted a stormwater management concept plan to the Montgomery County Department of Permitting Services (DPS) for their review. The key aspects of this plan are based on the unusually high infiltration rates of the sub-surface soils and on providing a membrane-lined surface sand filter with a pre-treatment device. The initial plan addressed quantity control by providing an underground pipe detention system consisting of 180 feet of 90-inch diameter aluminized corrugated metal pipes. This detention system was sufficient to control the peak discharge rate of runoff from 1-year storm frequency and to accommodate the peak discharge from the 10-year storm frequency under developed conditions. In response to reported flooding and the concerns of neighbors down slope from the proposed fire station, DPS indicated the need to provide quantity controls for the 10-year and 100-year storm frequencies. The submitted plan was then revised to comply with this requirement by increasing the pipe size to 108-inch diameter and by lowering the storm drainage system accordingly.

The stormwater concept is designed to reduce mainly sheet flow from the site (currently approximately 4 cfs) to 1.5 cfs and convey it via a 21-inch RCP to an existing 24-inch pipe south of Collins Drive. This pipe currently discharges overland onto private property along Collins Drive. Water volume entering the pipe from the fire station site may be reduced, as more of the fire station's storm water will be detained onsite. However, the flow may be slightly more concentrated during peak rainfall events. The applicant should consider obtaining new storm drain easement to proposed downstream drainage easements planned by the new townhouse development south of Collins Drive, to address the issue of overland discharge onto private property and to avoid potential future conflict with the homeowner(s).

LEED Design

The fire station building is currently targeting a Leadership in Energy and Environmental Design (LEED) "Silver" rating. Sustainable recycled materials, daylight, and energy efficient systems are all being incorporated into the design to achieve the rating. Per the LEED checklist for the fire station the project will seek credit for stormwater facility design, use of low-emitting and fuel-efficient vehicles, construction waste management and recycling, and reducing the heat island effect (through roof design), among other measures.

Conclusion

Environmental Planning recommends approval of the mandatory referral and the preliminary forest conservation plan, only if Fire Department is required to save tree No. 10, the 42-inch dbh Chinese Chestnut tree. This tree is the co-champion tree for its species in the County. Preservation of the tree no. 10, will not compromise the program elements identified by the Fire Department and the DPWT Arborist has prepared a plan that shows the tree can be saved.

- ☐ TREES DBH 24" OR GREATER TO REMAIN
- ☒ TREES DBH 24" OR GREATER TO BE REMOVED
- ☒ CHINESE CHESTNUT/CO-CHAMPION TREES

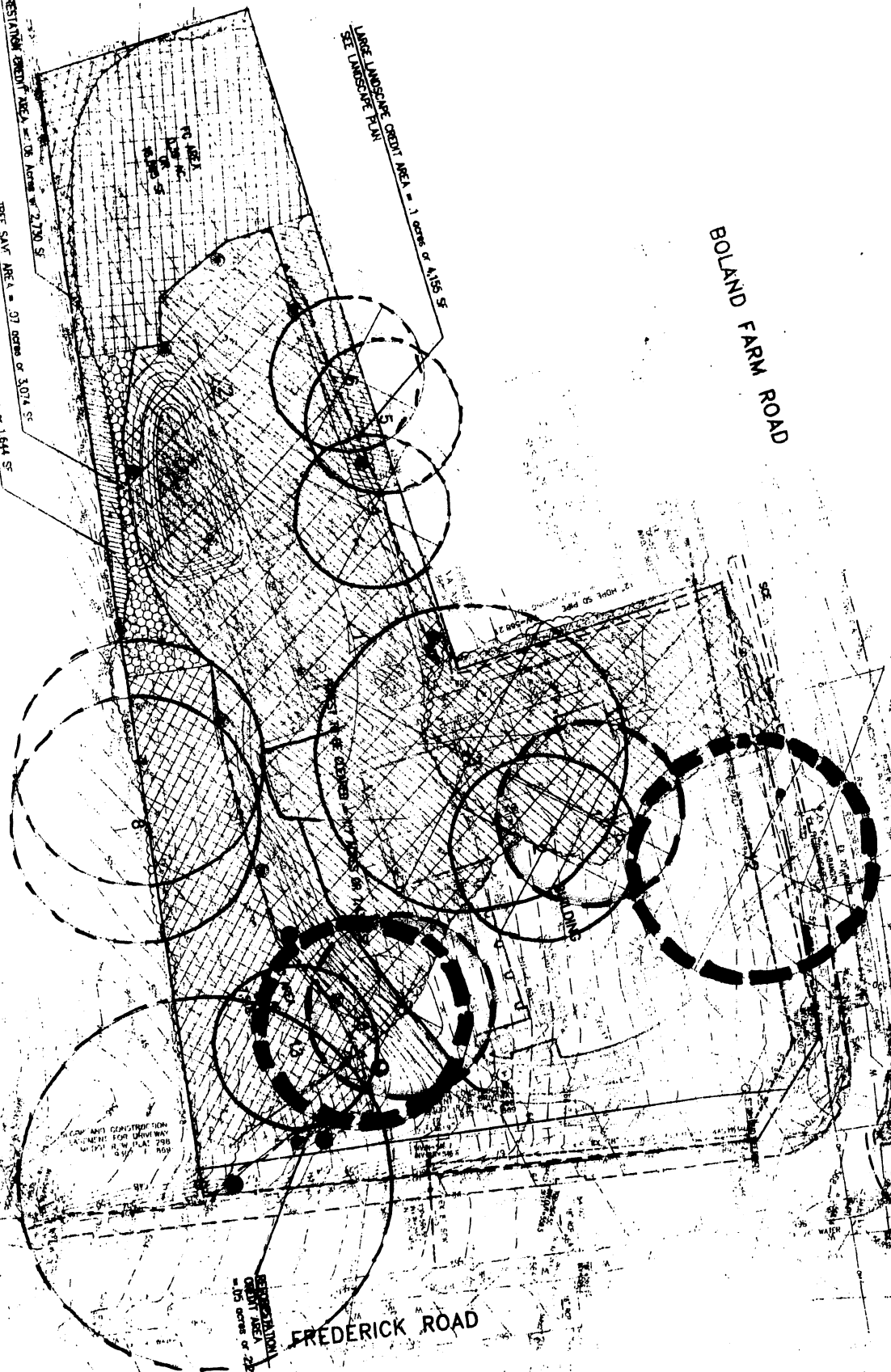
BOLAND FARM ROAD

LINE LANDSCAPE CREDIT AREA = 1 acre of 4,150 SF
SEE LANDSCAPE PLAN

REFORESTATION CREDIT AREA = 08 acres of 2,170 SF

TREE SAVVY AREA = 07 acres of 3,074 SF

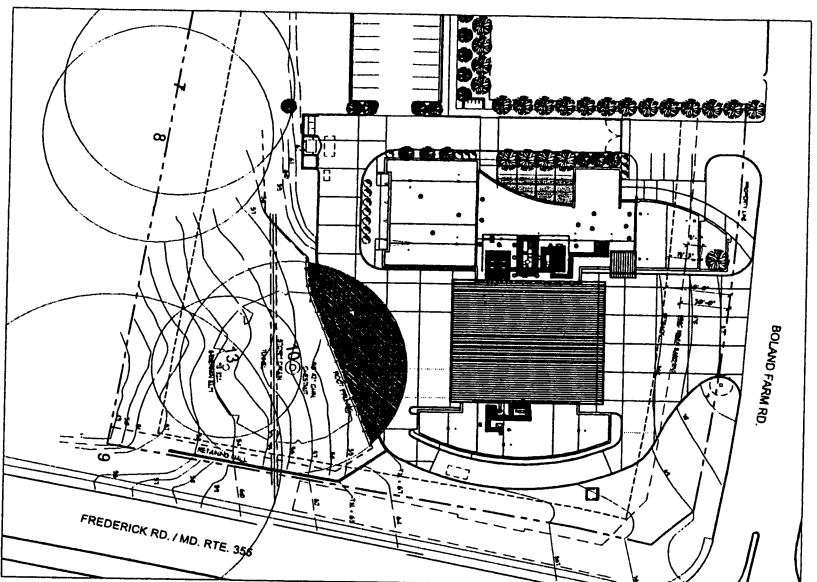
LARGE LANDSCAPE CREDIT AREA = 04 acres of 1,644 SF
SEE LANDSCAPE PLAN



FREDERICK ROAD

REFORESTATION CREDIT AREA = 10 acres of 2,800 SF

CO AREA = 2,005 SF



OPTION ONE

BUILDING AND SITE PAVING WERE RELOCATED 10' NORTH, TOWARD BOLAND FARM ROAD AND IN THE W.S.C. SEWER EASEMENT

CRITICAL ROOT ZONE DISTURBANCE: 3,690 S.F. (30%)

- STRATEGY USED TO SAVE CHAMPION TREE:
- TUNNEL STORM WATER DRAIN
 - RETAINING WALLS

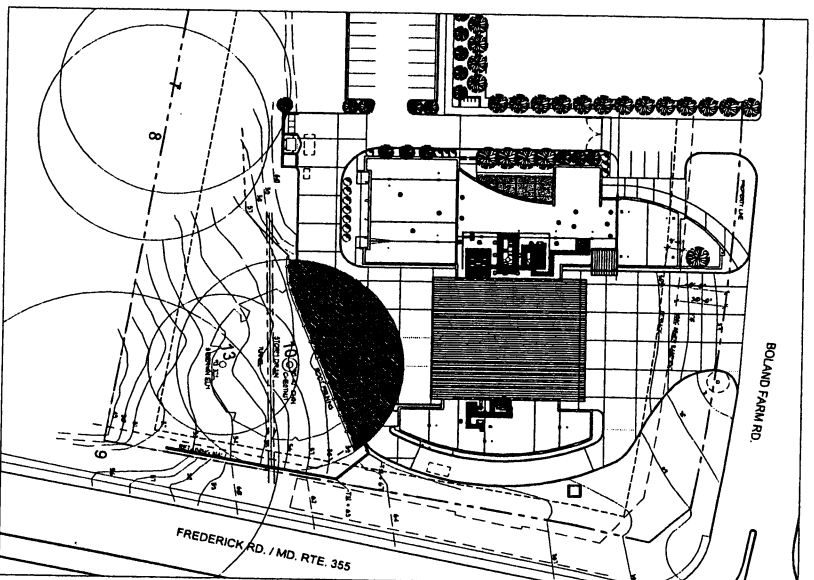
THIS OPTION IS CONTINGENT UPON ADDITIONAL APPROVAL TO THE FOLLOWING ITEMS:

1. W.S.C.'S APPROVAL TO ALLOW FOR REQUIRED REDUCTION OF APPROX. 10' WIDTH IN SANITARY SEWER EASEMENT AND THE RELOCATION OF A PORTION OF THE EXISTING SANITARY SEWER
2. APPROVAL OF UTILITY COMPANIES TO ALLOW FOR THE RETAINING WALL CONSTRUCTION WITHIN THE P.U.E. (PUBLIC UTILITY EASEMENT)

A 10' P.U.E. IS TO RUN PARALLEL AND OUTSIDE THE ROW LINE ALONG ROUTE 355.

RESULTS:

1. TREE NUMBER 10 SURVIVAL IS LIKELY BUT NOT GUARANTEED.
2. BUILDING IS LOCATED ON W.S.C. SEWER EASEMENT AND PROPERTY SETBACK ON BOLAND FARM ROAD.
3. RETAINING WALL IS LOCATED ON PUBLIC UTILITY EASEMENT ALONG ROUTE 355.



OPTION TWO

BUILDING AND SITE PAVING REMAINED ON THE SITE AS SUBMITTED ON THE APPROVED SCHEMATIC DESIGN PLAN; ENCROACHED 9'-4" ON BOLAND FARM ROAD SETBACK.

CRITICAL ROOT ZONE DISTURBED: 5,130 S.F. (41%)

- STRATEGY USED TO SAVE CHAMPION TREE:
- TUNNEL STORM WATER DRAIN
 - RETAINING WALLS

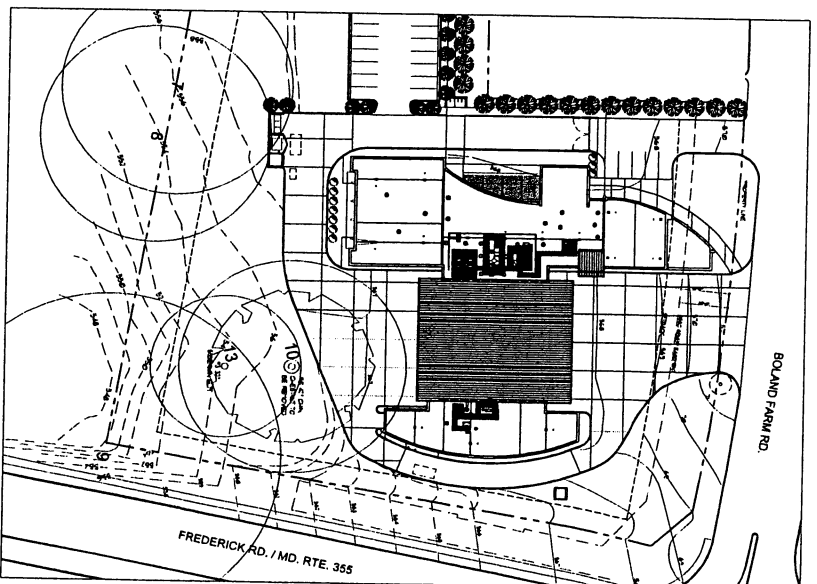
SINCE MORE THAN 30% OF CRITICAL ROOT ZONE IS DISTURBED, EXTRAORDINARY TREE PROTECTION MEASURES SPECIFIED BY MONTGOMERY COUNTY ARBORIST MAY BE REQUIRED.

THIS OPTION IS CONTINGENT UPON ADDITIONAL APPROVAL TO THE FOLLOWING ITEM:

1. APPROVAL OF UTILITY COMPANIES TO ALLOW FOR THE RETAINING WALL CONSTRUCTION WITHIN THE P.U.E. (PUBLIC UTILITY EASEMENT)

RESULTS:

1. TREE #10 SURVIVAL IS MARGINAL.
2. BUILDING STAYS AWAY FROM W.S.C. SEWER EASEMENT
3. RETAINING WALL IS LOCATED ON PUBLIC UTILITY EASEMENT ALONG ROUTE 355



OPTION THREE

BUILDING AND SITE PAVING WERE RELOCATED 10' SOUTH TO CLEAR BOLAND FARM ROAD SETBACK AND W.S.C. SANITARY SEWER EASEMENT.

RESULTS:

1. CHINESE CHESTNUT TREE #10 WILL BE REMOVED.
2. NO RETAINING WALL IS REQUIRED.
3. NO P.U.E. IS DISTURBED.
4. NO SANITARY SEWER EASEMENT IS DISTURBED
5. NO PROPERTY SETBACK IS DISTURBED



MARCH 19, 2007

GERMANTOWN-EAST FIRE STATION #34

SITE PLAN STUDIES

SCALE: 1/32" = 1'-0"



ATTACHMENT 8

Page 1 of 1

MCP-Chairman

From: ENealNRAI@aol.com
Sent: April 08, 2007 9:45 PM
To: oemail@montgomerycountymd.gov
Cc: Councilmember.Praisner@montgomerycountymd.gov;
Councilmember.Leventhal@montgomerycountymd.gov; MCP-Chairman
Subject: The East Germantown Fire Station

MCPB #12/07
#6

RECEIVED
0413
APR 11 2007

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Dear Mr. Leggett:

Attached are:

1. A cover letter entitled "Montgomery Fire Station Meeting" that summarizes my response to a meeting with your staff and a senior staff person from Park and Planning this past week.
2. A document entitled "THE EAST GERMANTOW FIRE STATION" that details specific concerns about the fire station and was discussed at the meeting this past week.

Ed Neal

See what's free at AOL.com.

04/11/2007

11809 Collins Drive
Germantown, MD 20876

April 7, 2007

Dear Mr. Leggett:

I want to thank you for facilitating the meeting with your staff on Tuesday, April 3, to discuss the East Germantown Fire Station. It was kind of your staff to meet with both Helen and I from 9:00 to 11:00 AM.

I appreciated the comments of Ms. Cathy Matthews from the Upcounty RSC, of Ms. Pamela Johnson from Park and Planning, of Mr. Hamid Omidvar from DPWT, of Chief Love from Fire and Rescue, and the "rapid fire" overview of his work by your storm water collection consultant. Rick Bush, the Montgomery County lead for storm water management, did stop in briefly and, after a quick introduction, left prior to the meeting. Chief Carr -- my main reason for attending the meeting -- was not there.

After brief introductions I did a "talk through" of the contents of my attached Draft Report entitled "The East Germantown Fire Station". Your storm water collection consultant then provided a brief overview the paths through his 12 large-sheet group of resource charts needed to construct the basic parameters for storm water collection. I do request copies of these resource documents.

My conclusions from the meeting are:

- Chief Carr and others have no basis for the "SPOT ON" assertion [pp. 3, 11, 12]*:
 - Chief Love clearly indicated that Chief Carr has no data, has no new data, has no new GPS charts, and has no computer program as he claimed.
- Chief Carr's Emergency vehicle travel time assertion [pp. 3]:
 - The Chief: Pumphrey achieves the minimum possible averaged travel time (based on no data, no new data, no new GPS charts, and on no computer program).
 - Ed Neal: Pumphrey is the worst possible travel-time site for reasons stated [pp. 4].
- Noise impacts on homes, churches, urology center, and school [pp. 5]:
 - Park & Planning is protecting 20 new homes to be built south of Collins drive at their recent site plan review.
 - I anticipate that Park & Planning will also protect existing homes, churches, the urology center, and the school at no additional financial burden to owners with consistent interior and exterior noise standards.
- Light pollution [pp. 6]:
 - Park & Planning is protecting 20 new homes south of Collins drive; standards to be provided.
 - Montgomery County should protect existing homes, churches, urology center, and the school equally at no additional financial burden to owners.

* Designates Pages 3, 11, & 12 of my Draft Report.

- Storm water [pp. 7 to 10]:
 - The “rapid fire” presentation by your storm water collection consultant enabled only a very high level review of his and/or Mike Knapp’s concepts.
 - Rick Bush provided the chart “SWM Concept Plan SA-2A” that shows 2 pipes each having a 7½-foot diameter and a length of about 100 feet for storm water storage. The storage capacity of each pipe is about 30,000 gallons. My document [pp. 9] shows that between 200,000 to 1,000,000 gallons of storm water is created by 1 acre of impervious area during each severe storm; I assumed 1 acre for the fire station. Your storm water collection consultant indicates that the fire station has an impervious area of about 1.5 acres. Hence, the station’s severe storm water is about 1,500,000 gallons.
 - If the Boland Farm Road’s storm water is added, then the number of gallons created by the fire station for every severe storm is about 2,000,000 gallons of storm water. Thus, 67 pipes (not the 2 as shown) are required to hold the new storm water created.
 - If a significant part (or all) of the 2,000,000 gallons of storm water is diverted onto the 20 new homes property just south of Collins drive, then Montgomery County will likely be required to:
 - Obtain easement(s) on the impacted properties to get the storm water to the new homes property.
 - Fund damages for the added water being dumped on their property.
 - Accept responsibility for construction delays of the 20 new homes.
 - If a significant part (or all) of the 2,000,000 gallons of storm water is kept on the Pumphrey site for release into the aquifer, then Montgomery County should provide:
 - A detailed description of what happens to the water that is collected in the 67 pipes. Your storm water collection consultant’s response was that “it’s not a storm water collection problem”.
 - Answers should be provided to such basic questions as: Will my well water be contaminated? Will my well go dry? Will my basement flood? Will the oil-laced pond greet the 20 new homeowners? Will the long manhole pipe rupture the WSSC sewer and contaminate the aquifer?
- Additional issues are contained in my Draft Report that deserve answers.

At the meeting we were told that a bid package would be released in 60 days for construction of the East Germantown Fire Station. With the basis for:

Best site selection:

Chief Carr’s “Spot On” assertions that are clearly baseless!
 Ed Neal’s “Worst Possible” site based on clearly defined reasons.

Storm water management:

We apparently now have a storm water system designed by a council member and a storm water collection expert to collect some (as yet undefined) fraction of the 2,000,000 gallons of storm water for release (in an unknown manner) into the aquifer and the remainder to be sent (in an undefined path with no discussion of easements) onto the site of 20 new homes that must create a storm water management plan before proceeding to construction!

Wow!!!

Noise impacts:

The 20 new homes require noise mitigation of both exterior and interior noise from the East Germantown Fire Station. We anticipate that Montgomery County will require equivalent measures for our homes -- at no additional financial burden to owners.

Financial burden:

Helen and I will see the value of our home (since 1967) decrease about 50% with the first shovel of dirt. Some of my neighbors will suffer even greater losses, as discussed in my Concluding Remarks and Observations [pp. 13].

After these efforts I am now beginning to understand the continuing Montgomery County construction overruns. If constructed under these conditions my prediction [pp. 4] will very likely occur.

My Prediction:

If the East Germantown Fire Station is built on Pumphrey, then an endless series of enlargements to the facility, to the number of vehicles, and to personnel will follow an ever increasing number of and duration of "long sit and wait" experiences. In summary, my opinion is that this poor site selection created by the 1/10 of a mile false assertion by Chief Carr will burden East Germantown for years with a very costly and very poor emergency vehicle service.

Sincerely,

Ed Neal

Attachment: The East Germantown Fire Station, Draft Report

Cc: Mrs. Marilyn Praisner, Montgomery County Council

Cc: Mr. George Leventhal, Montgomery County Council

Cc: Mr. Royce Hanson, Park and Planning

THE EAST GERMANTOWN FIRE STATION

--- DRAFT REPORT ---

By

Edgar H. Neal

3 April 2007

**Edgar H. Neal
11809 Collins Drive
Germantown, MD 20876**

**Phone: 301-972-3919
E-Mail: ENEALNRAI@AOL.COM**

CONTENTS

1. CURRENT STATUS:.....	3
2. STATUS OF THE EAST GERMANTOWN FIRE STATION:	4
3. NOISE POLLUTION:	5
4. LIGHT POLLUTION:	6
5. STORM WATER MANAGEMENT IN MY COMMUNITY:.....	7
6. A BRIEF HISTORY OF THE EAST GERMANTOWN FIRE STATION:.....	11
7. CONCLUDING REMARKS AND OBSERVATIONS:.....	13

1. CURRENT STATUS:

- “Mr. Neal, you wouldn’t believe how accurate my emergency vehicle’s travel time computer program is! It’s SPOT ON!” said Chief Carr. My response: “Within 1/10 of a mile from Pumphrey?” His response: “SPOT ON, much less than 1/10 of a mile. You would not believe how accurate it is!” My response: “I don’t believe it!” This interchange occurred before perhaps 50 Germantown citizens and a dozen or so of Montgomery County staffers during the Chief’s visit to Germantown several months ago.
- During my visit to the Council’s Damascus Town Hall Meeting Mr. Leventhal allowed me to read an E-Mail that he received that very afternoon from Chief Carr indicating that within two weeks (as I recall) he would be completing a reassessment of his East Germantown Emergency Vehicle travel time calculations with new GPS maps and new data. I waited about a month and sent an E-Mail to Chief Love -- dated 10/28/2006 -- indicating that I wished to see a demonstration of Chief Carr’s “Spot On” calculation with the new data.
- My understanding is that shortly after my 10/28/2006 E-Mail to Chief Love someone from Chief Carr’s office E-Mailed Mr. Leventhal stating that there is not and never was data, new data, GPS maps, or a computer program.

If these assertions are true, my reactions are:

- A very great disappointment in Chief Carr and others employed by and/or elected by Montgomery County citizens who have continued this scam for these many years.
- A sincere thanks to Mr. Leventhal who kept his inaugural promise in which he declared: “...if a Montgomery County citizen wants data, he will get the data.”
- Great expectation from Mr. Leggett’s promise as stated to Ms. Holly Woerner last week on cable. As I recall, his words were: “Montgomery County Government must be responsive to citizens under my administration. “ Earlier Mr. Leggett stated that: “Citizens must have a place at the table.”

Note:

The importance of the 1/10 mile assertion is that it eliminated from consideration all East Germantown sites except Pumphrey based on the average travel time of emergency vehicles.

2. STATUS OF THE EAST GERMANTOWN FIRE STATION:

Fast-tracked to construction without review and comment on a very poor site!

EMERGENCY VEHICLE TRAVEL TIME:

- Rte 355 is rapidly becoming alternate I-270. As traffic backs up on I-270 during AM and PM peaks the volume of traffic that spills onto Rte 355 increases at an ever-rapid rate. I now project that within two years the drivers of long-haul trailer trucks will discover Rte 355 and will further clog the Rte 355 traffic flow. In addition the rapid growth in both Germantown and Clarksburg continues to increased demands for the overused road. Traffic flow along Rte 355 in Germantown is rapidly evolving into "long sit and wait" congestion like the Rockville Pike and Rte 355 in Gaithersburg. It now often takes the order of 45 minutes to go from Shady Grove Road to Montgomery Village Avenue along Rte 355 during PM rush time. This will happen in Germantown at the Pumphrey site in the very near future.
- The intersection at Rte 355 and Boland Farm Road is now occasionally blocked by congested traffic; a year ago it was never blocked by congestion. I predict that within 3 to 4 years the Rte 355 and Boland Farm Road intersection will be blocked by "long sit and wait" congestion most of the time during AM and PM peaks.
- I further predict that within 4 to 5 years "long sit and wait" congestion levels will also occur all day Saturday and from mid morning to late evening on Sundays at the Pumphrey site.
- Other sites that I suggested offer alternate North-South and East-West routes that are much more accessible than Pumphrey.

My Conclusion: Placing a fire station along what will very likely become the most of the congested section of Rte 355 between Gaithersburg and the Frederick boundary makes absolutely no sense!

My Prediction:

If the East Germantown Fire Station is built on Pumphrey, then an endless series of enlargements to the facility, to the number of vehicles, and to personnel will follow the ever increasing number of and duration of "long sit and wait" experiences. In summary, this poor site selection created by the 1/10 of a mile assertion of Chief Carr will burden East Germantown for years with a very costly and very poor emergency vehicle service.

3. NOISE POLLUTION:

In this section I will briefly review some aspects of noise pollution from the East Germantown Fire Station.

- The Montgomery County Planning Board has just completed review of the site plan for twenty new homes to be built just south of Collins Drive, Site Plan No. 820050420. On pages 2 and 3 of the plan are requirements for noise mitigation. The Board requires before the first building permit is issued that:
 - 1) Certification from an acoustical engineer that the building shells for residential dwelling units are designed to attenuate projected exterior noise levels to an interior level of no more than 45 dBA.
 - 2) Written commitment to construct the residential units in accordance with the acoustical specifications identified by the acoustical engineer.
 - 3) The applicant shall construct the noise barrier along the side and rear property lines

The Montgomery County Planning Board is now reviewing the site plan for The East Germantown Fire Station. To be treated fairly, I believe that Montgomery County must also hold harmless those existing homes, churches, the urology center, and the school from excessive noise. Specifically, I request that the Board require:

- Montgomery County retrofit noise-impacted homes, churches, the urology center, and the school to meet modern noise standards at no cost to the owners using noise mitigation measures agreed to by the owners.
- That the pass/fail criterion be that all sound level measurements through out the interiors and the exterior areas to the property lines of the homes, churches, urology center, and school satisfy an appropriate modern standard.
- I suggest the recently accepted modern standard ANSI S12.60-2002 for schools.
- I will provide additional modern recommended standards for the homes, churches, and the urology clinic at a later date.
- I further recommend that the Board require periodic testing (every 5 years) for the next 50 years to reassess the noise levels in the homes, churches, urology center, and the school at no cost to the owners. Should non-compliance be determined, then Montgomery County be required to fund needed remedies. These actions are needed to ensure continued compliance as the East Germantown Fire Station morphs into an ever larger facility to maintain promised averaged travel times with increased road congestion and population.

4. LIGHT POLLUTION:

+++ To Be Completed +++

5. STORM WATER MANAGEMENT IN MY COMMUNITY:

- During the widening of Route 355 with curb and guttering, the Chief Engineer for State Highway assured Mrs. Day that her property on Collins Drive would not flood despite much of the highway water being directed to low regions over her well and over her septic drain field. About a month after these assurances by the Chief Engineer her well water became muddy and her septic drain field flooded. The Chief Engineer was fired and the damages were settled in court.
- With the curb and guttering of Boland Farm Road, the new road's storm water is directed across the proposed location of the East Germantown Fire Station. This added water now floods the Collins' basement during heavy rainstorms.
- The water from the new homes along Boland Farm Road appears to follow the ground topography and collects along the Neal – Collins property line with the Pumphrey (now Montgomery County) property. This ground becomes “spongy” as it fills with water during heavy rains.
- This spongy ground had plant life on it that appeared to me to be on the endangered species list. Shortly after my E-Mail to Mike Knapp concerning this plant species on the spongy ground it was mowed (for the first time in perhaps 10 years) into a thick pulverized dirt layer.
- With the widening of Rte 355 a large amount of dirt from the hillside was used to elevate the road by about 4 to 5 feet. To enable road access from the homes on Collins Drive a ramp was built back to my property line. This ramp now functions as a damn by blocking the natural flow of storm water. Storm water is drained through a small diameter pipe under Collins Drive and between the Day and Vaughn homes.
- Montgomery County recently approved the development of about 20 homes near to the southern boundary of homes on the south side of Collins Drive. Now emptying onto this new-homes property is the storm water from the pipe under Collins Drive and the water from the big collection pond at the corner of Neelsville Church Road and Rte 355. This property slopes gently from Collins Drive and Rte 355 to a low spot near the landfill that now houses the car wash at the Chevron station at Rte 355 and Rte 118. Near the bottom of this landfill is a large volume of oil from earlier occupants who simply dumped used automobile oil on the ground. Montgomery County assured my community that the oil did not have to be cleaned up and that their selected plant life would “do the job” of keeping the oil in place. I suspect that these same county officials will simply declare that “we struck oil” as old engine oil percolates into the pond created by the added storm water from the East Germantown Fire Station. What a nice welcome for these new residents in their new homes!

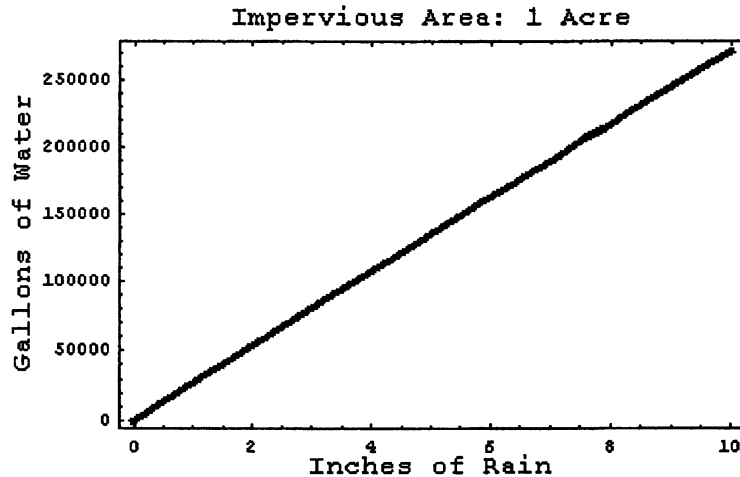
- Since the spring of 1967 I have lived at my home on Collins Drive. Since that date every time that I opened a faucet clear clean water arrived from the well. With the massive volume of water that will be diverted – see my estimates below – I have become concerned that the water level in the aquifer will drop below the depth of my well and/or that it will become contaminated from the old automobile oil and/or from the fire station's hazardous materials as discussed below.

5.1 Now for the East Germanton Fire Station:

- None of the above facts are acknowledged or discussed on the single chart "Storm Water Plan" from Montgomery County.
- If you Google "Storm Water & Fire Stations" you will find a long list of community governments that were on both sides of legal proceedings resulting from repeated dumping of hazardous materials by fire stations. My reading of these proceedings indicates that many of the WSSC-like organizations will simply not accept water from fire stations because of repeated contaminations from fire stations.
- The proposed "Storm Water Plan" is simply a chart displaying a maze of pipes with things called hydrodynamic structures, by other things denoted as GI- (SEE P-01), and that appear to be directing every drop of storm water into a very small pond that sits in the best topographic spot to flood my basement.

5.2 Ed Neal's Storm Water Projections:

- I will assume that 1-acre will be the impervious surface for the proposed fire station. The only information available is the so-called "Storm Water Plan" chart displaying a maze of pipes, hydrodynamic things, and a small collecting pond.
- For 1 acre of impervious surface area about 27,154 gallons of storm water is created for every inch of rain.
- Plotted below are the gallons of storm water created for various inches of rain.



Gallons of Storm Water vs. Inches of Rain

- At least 200,000 to 1.0 millions gallons of new storm water will be created by the East Germantown Fire Station with each severe storm. Except for the tiny pond there is no indication of where this water goes.
- Some portion of the water will very likely be hazardous. There is no indication of what happens to this hazardous water.
- No consideration is given to the current Boland Farm Road's storm water; hence, the above gallons should likely be increased by a factor of 1.5 to 2.
- No consideration is given to the spongy ground water.
- If Chief Carr ever releases his "1/10 of a mile Spot-On" travel time calculations (promised many months ago), I will probably have justification to revise these numbers significantly upward.
- The above comments do not include storm water from the 20 new homes.

5.3 My Conclusions:

Like the fired Chief Engineer discussed above, Montgomery County has no plan for handling storm water created by the East Germantown Fire Station. The repeated creation of a million gallons of contaminated storm water deserves more consideration than the maze of pipes that flow into a little hole in the ground.

Based on these observations, I feel confident in predicting that:

-
- More Collins Drive homes will have basements that flood.
 - Collins Drive homes will have contaminated and/or dry wells.
 - An oil-laced and hazardous-material contaminated pond will welcome the 20 new town house owners.
 - Other than WSSC, the only place for this oil-laced and contaminated large volume of water to exit is into the headwaters of the stream that is adjacent to Montgomery College. So much for Montgomery County's highly touted stream restoration program.

6. A BRIEF HISTORY OF THE EAST GERMANTOWN FIRE STATION:

One bright Saturday afternoon I was paging through the Gaithersburg Gazette while watching an Orioles baseball game on television. Then, I noted an article indicating that Gordon Aoyagi and the Fire Commission would be holding a *required* hearing on the East Germantown Fire Station. With less than 2 weeks I:

- Contacted a large number of neighbors and found that about 30 wanted to speak at the Gordon Aoyagi *required* meeting.
- I repeatedly phoned the office of Gordon Aoyagi asking that I might discuss the fire station; my responses were that Gordon is not in, he is in a meeting and could not be disturbed, or he just left the office. I then asked if someone else could discuss the fire station and was told that only Gordon could interface with the community.
- We completed our presentations to a largely bored and disinterested Fire Commission and Fire Chief. Our presentations were “sanitized” and then published by the Gordon Aoyagi staff.

I then formed East Germantown Citizens and we began holding meetings whose only topic was the East Germantown Fire Station. Attending our meetings were local and state politicians, executive and council staff, and staff from Gordon Aoyagi’s office. One of our objectives was the assessment of the Pumphrey property relative to other sites for the East Germantown station. As the Gaithersburg Gazette’s interest grew and as our list of rich developer sites kept getting longer we began hearing that Gordon Aoyagi was:

- Collecting travel-time records from the Germantown Fire Station.
- Had hired a consulting firm to pinpoint the best site location based on averaged travel times for emergency vehicles.
- Would be conducting a “Tell Germantown” meeting.

I began asking for a copy of the travel-time records and a copy of the data used by Aoyagi’s consulting firm to pinpoint the best site selection. According to Council staff – Gordon would not return my calls -- the responses were:

- The lawyers said you can’t have the travel time records.
- No response concerning the data used by Aoyagi’s consulting firm.

Shortly after this interaction, we began hearing the “Montgomery County Slogan” of:

***If the site is more than 1/10 of a mile from Pumphrey
then
the average travel time is too large!***

Over the next several years I periodically requested the travel-time records and the data used by the Aoyagi firm that formed the basis for the "If the site is more than ... " slogan and continued with no response from either Gordon Aoyagi or Tom Carr. Generally, my requests were never acknowledged by either Aoyagi or by Carr.

7. CONCLUDING REMARKS AND OBSERVATIONS:

Three things changed recently. 1) Clarksburg. 2) The election of Mr. Leventhal as Council President and his deceleration that: "...if a Montgomery County citizen wants data, he will get the data." 3) And even more recently Mr. Leggett was elected as Chief Executive.

Three things have not changed. These are:

- 1) Chief Carr still claims that Pumphrey is "SPOT ON".
- 2) Chief Carr has not released his data or a demonstrated of his "SPOT ON" program.
- 3) My calls to Chief Carr are still not returned.

My Personal Views:

View 1:

With the first shovel of dirt to construct the East Germantown Fire Station on the Pumphrey property the value of our home will decrease by about 50%. Both Helen and I are now in our 70s and had planned for a quiet peaceful life in our home since 1967. This 50% decrease in value will severely damage our standard of living during retirement unless I work much longer. There are 4 other retired families on Collins Drive that will very likely be even more severely devastated by that first shovel of dirt. In all the order of 90 households will be impacted by that first shovel of dirt.

View 2:

My position regarding Pumphrey has been and continues to be that if Chief Carr can demonstrate that Pumphrey is the best site for the East Germantown station, then I will fully and completely support that choice. To date he has chosen to simply hide his data, GPS maps, and "Spot ON" computer program and ignore my requests.

After completing the above examination I am now firmly convinced that Pumphrey is a very poor choice for the East Germantown station for the reasons cited above.

A Historical Reminder:

Just as President Nixon so painfully learned and as Montgomery County officials so recently experienced with Clarksburg, illegal / inappropriate acts perpetuated by Government officials – on occasion – result in severe consequences. Hopefully our continued work will enable additional Montgomery County Officials to experience this painful learning experience, if justified.

Ed Neal
04/02/2007