



MEMORANDUM

TO: Montgomery County Planning Board

VIA: Mary Bradford, Director of Parks *M Bradford*
 Mike Riley, Deputy Director of Parks
 John Hench, Division Chief, Park Planning and Stewardship *JEH*

FROM: Dominic Quattrocchi, Legacy Open Space Senior Planner *DQ*
 Brenda Sandberg, Legacy Open Space Program Manager *BS*

DATE: August 27, 2008

RE: **Legacy Open Space Recommendation: Addition of Thompson Farm to the Legacy Open Space Functional Master Plan within the Greenway & Trail Connections and Farmland & Rural Open Space categories (Class II)**

Recommended Action

Staff recommends that the Planning Board approve the addition of the Thompson Farm in Boyds (see Figure 1) to the Legacy Open Space Program as a designated Greenway & Trail Connection and a Farmland & Rural Open Space site (Class II).

Staff proposes to implement the Legacy Open Space designation through acquisition of Lots 8 to 15 and part of Lots 16 and 17 (see Figure 2).

Background

The Thompson Farm was recently nominated to the Legacy Open Space program by the current owners with strong support from many local organizations. The Thompson Farm (also known as Thompson Corner Estates subdivision, Lots 5-18, and Branch Hill subdivision, Lots 24-26) is located on Slidell and Old Baltimore Roads in Boyds. It is southeast of the community of Comus and straight east of Barnesville, approximately 4,700 feet southwest of Comus Road. The Farm is located in the Central Sector of the Agricultural Reserve. The Farm lies directly between and immediately adjacent to two Commission parks with significant areas of conservation land. Bucklodge Forest Conservation Park, the first park acquired through the Legacy Open Space program, lies to the northwest of the property and Black Hill Regional Park is to the south and east of the site (see Figure 1).

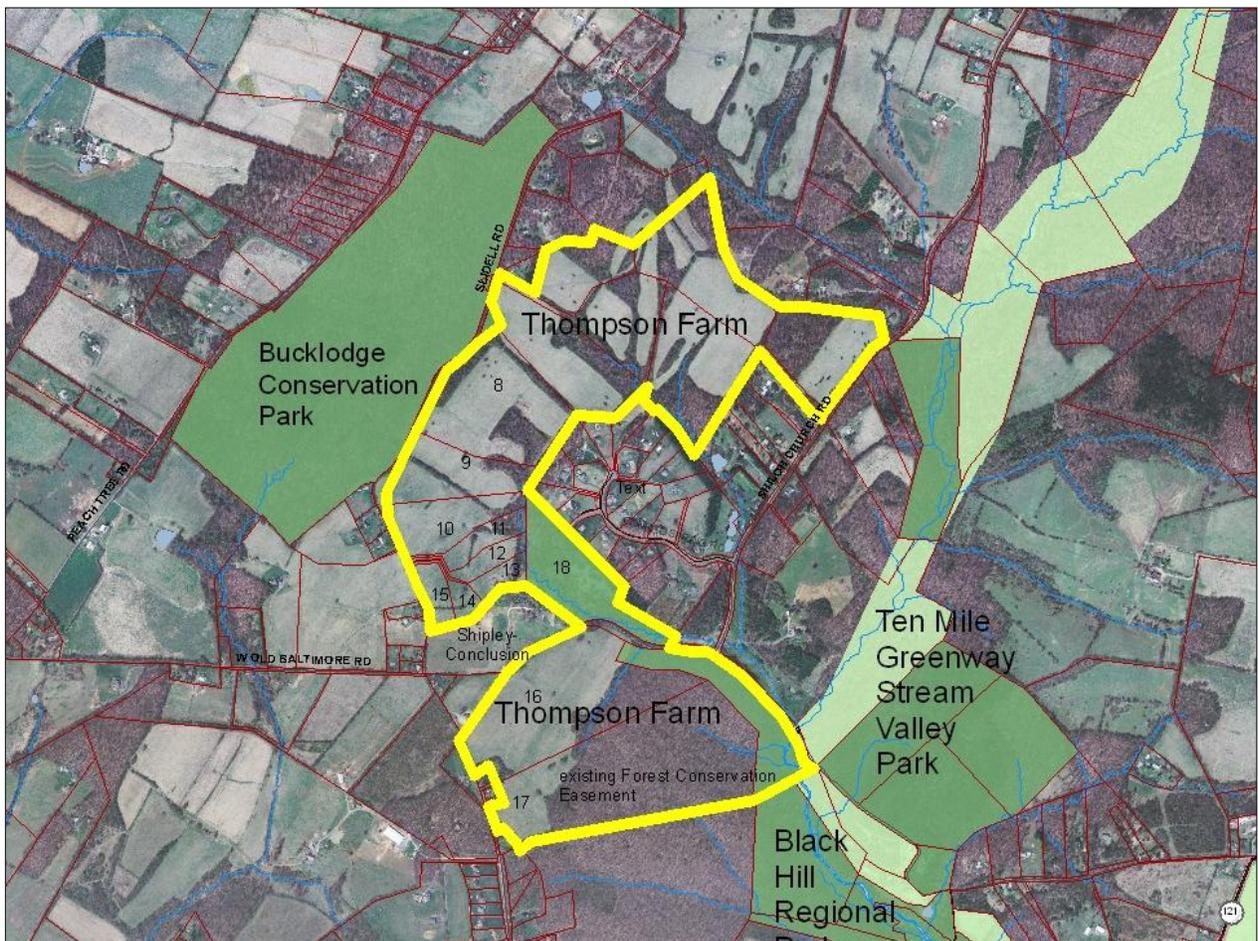
The Thompson Farm is largely comprised of rolling farm fields and forests within the Upper Ten Mile Creek subwatershed of Little Seneca Creek. This watershed exhibits excellent water quality per the

County studies and is a State Use I watershed. Intermittent and perennial streams and wetland seeps occur on the property and are generally confined to the forested areas.

The Thompson Farm is located within the Ten Mile Creek Analysis Area of the *Clarksburg Master Plan (1994)*. The Clarksburg Master Plan recommends a land use pattern west of Ten Mile Creek that is supportive of the larger Agricultural Reserve. The Ten Mile Creek Area adjoins a portion of the Agricultural Reserve described in the *Functional Master Plan for the Preservation of Agricultural and Rural Open Space in Montgomery County (1980)* as the “Central Sector.” The Central Sector is described as follows (bold emphasis added):

This 36,000 acre sector is the pivotal point in Montgomery County’s agricultural and rural open space preservation program Pressure to develop this area is expected to increase because of its natural beauty and as employment opportunities move northward along the I-270 Corridor. An aggressive preservation program should be focused on this area.

Figure 1. Thompson Farm Proposed Legacy Open Space Designation Area



Consisting of 434.7 acres in the RDT zone, the Thompson Farm was subdivided into seventeen lots (Preliminary Plan #1-97098, Thompson Farm) in 2005. This plan approval resulted in M-NCPPC receiving 19 acres of land through fee-simple conveyance and a trail easement. The owner subsequently sold Lot 18 (23.5 acres) to the Commission to complete a narrow connection between Black Hill Regional Park and Buck Lodge Forest Conservation Park when combined with the conveyed land and trail easement. To date, none of the recorded lots of interest to the Commission have been developed into houses.

West Old Baltimore Road, an exceptional rustic road, bisects the property near the center, and edges it on the southeast. The narrow pavement and unpaved road surface, the ford, the historic alignment, and the trees and fences close to the road are protected as Significant Features in the *Rustic Roads Functional Master Plan* (pp. 172-175 of the RRFMP).

Evaluation Process and Criteria

Sites nominated to Legacy Open Space are put through an initial screening process followed by GIS evaluation and field work to evaluate natural, historic, and other site resources. Numerous Commission staff members are involved in the ultimate recommendation for nominated sites. Other public agencies are consulted as appropriate. The draft and final staff recommendations were reviewed with the LOS Implementation Team and LOS Advisory Group and vetted through the Parks Director.

The overall philosophy of Legacy Open Space is to identify resources of exceptional countywide significance for preservation efforts: those that “rise above the rest.” Sites recommended for addition are reviewed according to criteria in the Legacy Open Space Functional Master Plan. In addition to these criteria, specific factors relevant to each resource category are also evaluated. The six resource categories are: #1 Natural Resources, #2 Water Supply Lands, #3 Heritage Resources, #4 Greenway Connections, #5 Farmland and Rural Open Spaces, and #6 Urban Open Spaces.

The Legacy criteria from the functional master plan are as follows, with criteria underlined that apply directly to this nomination:

1. The Resource has particular countywide, regional, or national significance in terms of (a) known or potential habitats for rare, threatened, or endangered species; (b) a “best example” of terrestrial or aquatic community; (c) unique or unusual ecological communities; (d) large, diverse areas with a variety of habitats; or (e) exceptional viewsapes, architectural character, or historic association.
2. The Resource is critical to the successful implementation of public policy such as the protection of the Agricultural Reserve and public water supply.
3. The Resource is part of a “critical mass” of like resources that perform an important environmental or heritage function.
4. The Resource makes a significant contribution to one or more heritage themes.
5. The Resource provides human or ecological connectivity between significant park, natural or historic areas and/or corridors.
6. The Resource helps to buffer and thereby protect other significant resources.
7. The Resource represents an opportunity for broadening interpretation and public understanding of natural and heritage resources.
8. The Resource provides a significant opportunity (a) to increase access to public open space in communities with high population densities, (b) to protect scarce open space in an urbanized community, (c) to improve the character of a green boulevard of countywide or regional significance, or (d) to provide for a new regional park facility.

Staff Analysis

Staff analysis indicates that this property meets Legacy Open Space designation criteria for two resource categories: Greenway Connections and Farmland and Rural Open Space. The Legacy Open Space Master Plan describes Greenway Connections as areas that help provide attractive, park-like connections between natural resources, heritage resources, rural lands and urban open spaces. The site provides just such an opportunity to create a significant green corridor and natural surface trail connection between two major parks. In addition, the nominated property exemplifies the rolling farm fields, forests, and scenic vistas of Upper Montgomery County, creating an opportunity to preserve active agricultural lands and rural viewsheds. These valuable resources coupled with an expressed willingness on the part of the owners to sell to the Commission create a significant opportunity for important Park expansion and connection.

A detailed discussion follows of the rationale for LOS designation for each resource category.

Greenway Corridors:

Forest/Wildlife Corridors - Potential to create an excellent greenway corridor to serve wildlife and plant resources between Bucklodge Conservation Park, Ten Mile Creek Stream Valley Park and Black Hill Regional Park. This designation helps implement the biological/biogeographical principle of corridor-hub connections and is supported by M-NCPPC Environmental Planning's Green Infrastructure staff. The current park ownership and trail easement in this corridor do not provide a wide enough corridor to be considered ecologically viable under Green Infrastructure guidelines.

Natural Surface Trails – The second element of the Greenway Corridors resource category is the provision of natural surface trails for recreation. The Bucklodge Forest Conservation Park Management Plan and the Planning Board-approved Public Access and Trail Plan envisioned a public use trail connection through the Thompson Farm property to Black Hill Regional Park. The existing trail easement and acquired lands are not large enough to create this trail in an environmentally sensitive manner due to topography, hydrology, and environmental buffer restrictions.

Farmland and Rural Open Space

Protection of the Agricultural Reserve – Support of existing programs to preserve agriculture in Montgomery County is an important goal of the LOS program. Protection of this site would help to minimize encroachment of development into the Central Sector of the Agricultural Reserve. Further, protection of this farm would provide a buffer between Comus, Boyds and the surrounding rural community and the dense development of Clarksburg to the east. The protection of this farm through the LOS program would also help to preserve active farming. Lease agreements to farm appropriate fields would be pursued as part of management and stewardship of any acquired lands.

Residential density reduction goals – A stated LOS Master Plan goal is to achieve a density reduction to 1 dwelling per 50 acres (from 1 per 25) as part of any efforts to preserve Farmland and Rural Open Space. The purchase of the proposed lots (see implementation section below) would achieve that density objective for this farm, reducing the final development density from 17 buildable lots (1 per 25.6 acres) to 8 buildable lots (1 per 54 acres).

Rural Viewshed Protection – In addition to preserving active farmland and reducing residential density in the Agricultural Reserve, the LOS program also seeks to preserve rural viewsheds and the rural character of the Agricultural Reserve. One of the key concerns of the surrounding community about this farm's subdivision was the potential damage to the rural character from a small group of clustered lots on a visible hillside.

Natural Resources

Quality Forest – The property does contain some areas of quality forest that are contiguous to existing protected parkland. These areas have not been evaluated for LOS designation as a Natural Resource on their own, but do contribute to the resource value of the Farm and are deserving of protection through addition to the park system. These areas are primarily on the rear of Lots 16 and 17 and are already in Forest Conservation Easement through the recorded development. Park Managers and Natural Resources staff strongly recommend adding these forested areas to the park system to create an enforceable boundary for the park and to provide stronger enforcement of forest protection measures.

Watershed protection (Ten Mile Creek) – This watershed drains to Little Seneca Lake that serves as a backup water supply for the Washington Metropolitan area should Potomac River flows drop significantly during a drought. Reduced development and increased resource protection in this watershed can provide additional protection to this backup drinking water resource.

Public Outreach and Input

The owners of the Property, the Jamison Family, support the nomination as a Legacy Open Space Property. The Agricultural Services Division of Montgomery County are supportive of the acquisition and have expressed interest in the potential for continuation of agricultural practices on appropriate portions of property.

Groups and organizations that have expressed support of the Nomination include the Boyds Civic Association, the Peachtree Ridge Civic Association, For a Rural Montgomery (F.A.R.M.), the Sugarloaf Citizens Association, Clarksburg Initiative, Northern Montgomery Alliance, and Equine Partners in Conservation (EPIC). See **Attachments A - B** for their submitted testimony in support of Legacy Open Space designation and acquisition of the Farm as parkland. In addition, the Legacy Open Space Advisory Group reviewed the nomination two times and voted strong support for the designation of this site and the addition of the identified acquisition areas to the Park system.

Implementation (Recommended Protection Technique)

Based on the above analysis of the site according to the LOS criteria, staff recommends protection of these resources through partial acquisition of the Thompson Farm (**see Figure 2**). Staff recommends acquisition of Lots 8 to 10 and acquiring fee simple ownership of the forested areas on Lots 16 and 17 to create a greenway corridor and natural resource protection between the two major parks. To provide additional protection to the Agricultural Reserve and protect rural viewsheds, staff also recommends acquisition of Lots 11 to 15. See Table 1 for a detailed explanation of each Lot recommended for full or partial acquisition.

Figure 2. Proposed Acquisition Area

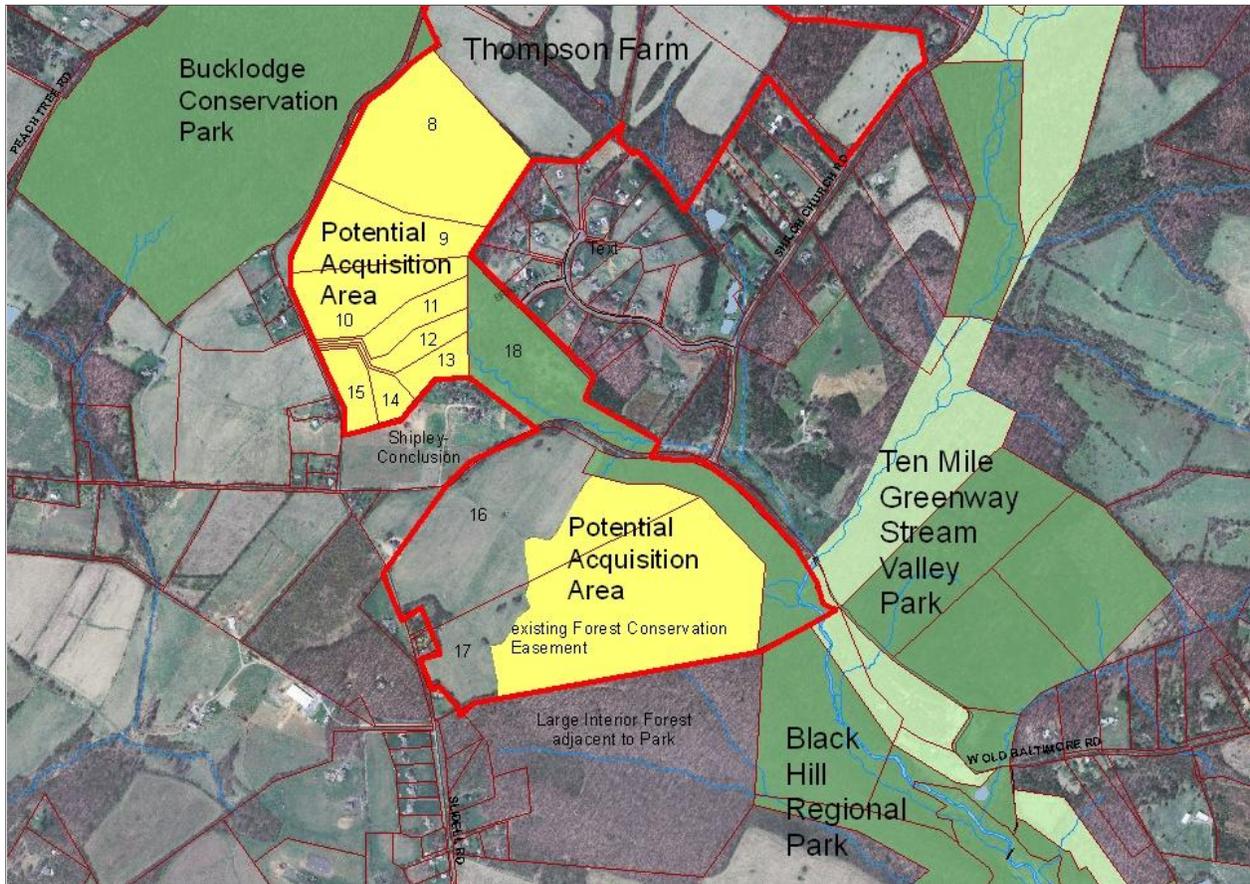


Table 1. Thompson Farm Legacy Open Space Nomination, Summary of Lots Proposed for Acquisition

Lot #	Acreage	Protection Rationale & Technique
8 -10	38.7 acres 18.6 acres 15.6 acres	<ul style="list-style-type: none"> • Greenway & trail connectivity • Park connectivity • Agricultural preservation • Watershed headwaters protection • Pursue Full Acquisition
11-15	6.2 acres 4.9 acres 4.6 acres 3.1 acres 5.2 acres	<ul style="list-style-type: none"> • Agricultural preservation, • Rural viewshed protection • Pursue Full Acquisition
16-17	55.2 acres 72.7 acres	<ul style="list-style-type: none"> • Greenway connectivity • Natural resource protection • Pursue Partial Acquisition, forested area only (approximately 75 acres)
18, Parcel A	23.9 acres 19.0 acres	<ul style="list-style-type: none"> • Lot 18 previously acquired by Parks through Program Open Space funding, Parcel A conveyed to Parks through subdivision process
5-7, 24-6, 16-17 (part)	220 acres	<ul style="list-style-type: none"> • No acquisition or other protection efforts proposed • Eight developable lots would remain in private ownership, including the developable and agricultural field portions of lots 16-17

The staff recommendation includes Lots 11-15 as part of the nomination area. Preservation of these lots through a continuation of agriculture is important to preserving the bucolic integrity and rural viewshed of the agricultural reserve. Lots 11-15 are not considered critical when considering park connection and greenway connectivity. As part of the approved subdivision, Lots 11-15 were created as smaller lots, to provide the platting of larger lots to allow the opportunity for large contiguous agricultural fields to remain. Large contiguous fields are more conducive to economically viable farming. One consequence of the resulting subdivision layout is that the clustered lots (Lots 11-15) are generally close to Slidell Road and situated on open, topographically higher ground. The visual impact of resulting single family homes, typically very large as a result of market conditions, will be most apparent coming south on Slidell Road.

The forested area associated Lots 16 and 17 is mature high quality upland forest, by virtue of its size and corresponding functional value. Staff feels that the existing Forest Conservation Easement over the nomination area is not fully adequate due to existing Park Management concerns, active encroachments and the difficulty in patrolling and monitoring forest interior park boundaries.

Figure 3 Thompson Farm, looking east from Slidell Road, July 2008



Implications of Legacy Open Space Designation (Class II)

The Thompson Farm is recommended for Legacy designation as a Class II property. The only difference between Class I and Class II properties is whether one tool will be available for the protection of the site: the use of involuntary reservation is provided for Class I sites but not for Class II sites through the Legacy Master Plan. In general, most Natural Resources, Urban Open Spaces, and Greenway Connections are identified as Class I while most Heritage Resources and all land within the Farmland & Rural Open Space

and Water Supply Protection target areas are identified as Class II properties. In all other respects, the same tools are available for preservation efforts for both Class I and Class II properties.

Note that a different classification does not mean a difference in the quality or importance of the resource, just that for Class II properties, a policy decision has been made that protection is likely to be achieved without the use of involuntary reservation. For instance, Heritage Resources (Class II) are not inherently lesser quality or less important than Natural Resources (mostly Class I). Heritage Resources were placed in Class II because most of the properties can be preserved through easement and the Commission has limited interest in ownership of most of those sites.

Since the Thompson Farm has already been through the development process, there is no need for the reservation tool to be made available and staff recommends a designation of this site as Class II.

Attachment A

Dear Legacy Open Space Advisory Board

The undersigned organizations would like to offer their strong support for the nomination of the Thompson Farm (437 acres), located on Slidell Road in Boyds, into the Legacy Open Space Program of MNCPPC. This farm should be of particular interest and importance to Legacy Open Space because of its unique location and geographic character and environmental assets. There has been an approved subdivision of 17 residential lots slated for this pristine farmland, but the current owners have expressed interest in the LOS program. The parcel exemplifies the rolling farm fields and forests of upper Montgomery County and is contiguous to the preserved "Bucklodge Forest" bordering on the Ten Mile Creek watershed and Black Hills Park. It would also serve as an excellent connective link to Little Bennett Regional Park. In addition, this still undeveloped parcel would provide an important buffer for the historic Boyds community, between the higher density zoned land to the east and the Agricultural Reserve. We hope and urge that the Board will give serious consideration to the preservation of this farm through the acceptance into the Legacy Open Space Program.

BOYDS CIVIC ASSOCIATION

Melissa L. Foster

PEACHTREE RIDGE CIVIC ASSOCIATION

Pat W. PVA

F.A.R.M.

Dmelmo

SUGARLOAF CITIZENS ASSOCIATION

James P. Brown, President

MONTGOMERY COUNTRYSIDE ALLIANCE

Robin

CLARKSBURG INITIATIVE

Terry Hobbes

NORTHERN MONTGOMERY COUNTY ALLIANCE

Julia Singer

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EQUINE PARTNERS IN CONSERVATION (EPIC)



Attachment B

Boys Civic Association
Boys, Maryland

January 28, 2007

M-NCPPC Legacy Open Space Program
Attn: Brenda Sandberg
1109 Spring Street, Suite 802
Silver Spring, Maryland 20910

Re: Thompson Farm / Slidell Road

Dear Ladies and Gentlemen:

We want to support the admission of the Thompson Farm Property on Slidell Road in Boyds into the legacy Open Space Program. This property, over 400 acres, is one of the last large intact farms in the Agricultural Reserve that is preservable as a whole, and this opportunity will not present itself again. As development pressures increase in the Ag Reserve, there will be very few if any further opportunities to preserve a farm of this size.

The owners of the Thompson Farm, the Jamison Family, have corresponded separately via email with you about their support for nomination of the property into the Program.

The Thompson Farm has been subdivided into 17 lots of various sizes and is slated for development in the near future.

The Thompson Farm meets several of the key criteria for admission into Legacy Open Space:

- ❖ This property provides “connectivity” between existing open space and park, helping to tie together the green buffer that begins with Little Bennet Park, Bucklodge Forest, Black Hills Park, and ultimately points in the direction of Bucklodge Road which itself has been extensively preserved. While the green buffer we mention is not complete, the purchase of this property is a giant leap forward towards achieving an uninterrupted buffer protecting the Ag Reserve from development encroachment. In particular, preservation of the Thompson Farm helps to buffer Boyds and the surrounding rural community from the dense development of Clarksburg to the east.
- ❖ Thompson Farm specifically buffers Bucklodge Forest and Black Hills Park.
- ❖ Thompson Farm is part of a critical mass of open space and agricultural land that may still help to “turn the tide” against dense development in the Ag Reserve. We will not go into this topic in detail since it was addressed so extensively by the Agricultural Task Force that advised the County Council in 2006.

- ❖ Preservation of the Thompson Farm is critical to the successful pursuit of existing public policies, including protection of the Ag Reserve, and protection of important watersheds such as Ten Mile Creek and Bucklodge Branch which runs through adjacent Bucklodge forest.

As a result of these characteristics, the purchase of Thompson Farm fits into four of your six property categories, namely: Protection of Environmentally Sensitive Natural Resources; Protection of Water Supplies; Protection of Greenway Connections; and Protection of Farmland and Rural Open Spaces.

We are not suggesting that the entire Thompson Farm necessarily be maintained as park land. While it would make a magnificent park, which we would strongly support, it could also, in fact, be maintained as active farmland through an innovative leasing program to support preservation of farming in the Ag Reserve. The community would support such innovation and work actively with the County to create a “public/private partnership” of that type. There are existing examples of this approach, for example, large tracts of land in McKee Beshers along old River Road are actively farmed.

A number of community organizations endorse this letter. A separate letter with our signatures is attached.

The application form for the Property’s nomination into the Program is attached. Please let us know what further information you may need.

Very truly yours,

Boys Civic Association

cc: William Jamison

