



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

Item # 11 A
MCPB ~~10-08-09~~
10-22-09

MEMORANDUM

DATE: September 24, 2009

TO: Montgomery County Planning Board

VIA: Mark Pfefferle, Acting Chief, Environmental Planning Division *MP*

FROM: Josh Penn, Senior Planner, Environmental Planning Division *JP*

REVIEW TYPE: Final Forest Conservation Plan (FCP)

APPLYING FOR: Mandatory Referral and Final Forest Conservation Plan (FCP)

PLAN NAME: Tilden Woods Bioretention Facility

PLAN NUMBER: MR2007902

PLAN TYPE: Final Forest Conservation Plan

REVIEW BASIS: Forest Conservation Regulations, Section 113.A.(2), Regulation No. 1-01AM (COMCOR) 18-01AM

ZONE: R200

LOCATION: Located on Tilden Lane opposite Old Stage Road in Rockville.

APPLICANT: Montgomery County Department of Transportation (MCDOT)

HEARING DATE: October 8, 2009

STAFF RECOMMENDATION: Staff recommends approval of the Final Forest Conservation Plan with the following conditions.

1. Applicant must submit a final forest conservation plan consistent with the preliminary forest conservation plan and meeting all requirements of section 109(b) of the Forest Conservation Regulations prior to any land disturbing activities associated with the construction of the facility.

BACKGROUND

The project is to create a bioretention facility within the Tilden Woods Local Park as part of the wetland mitigation package for Montrose Parkway. The bioretention facility will help control stormwater for both quality and quantity and enhance over water quality.

The facility is located at 6800 Tilden Lane, approximately 50 feet south of Old Stage Road and is also known as Tilden Woods Local Park. The property is zoned R200 and 7.6 acres in size. The subject property is bounded on the north by Tilden Lane. The east and south side of the property is bounded by parkland and single family homes. The west side of the property is bounded by the Tilden Woods Recreation association and single family homes. The property is located within the area covered by the North Bethesda/Garrett Park Master Plan.

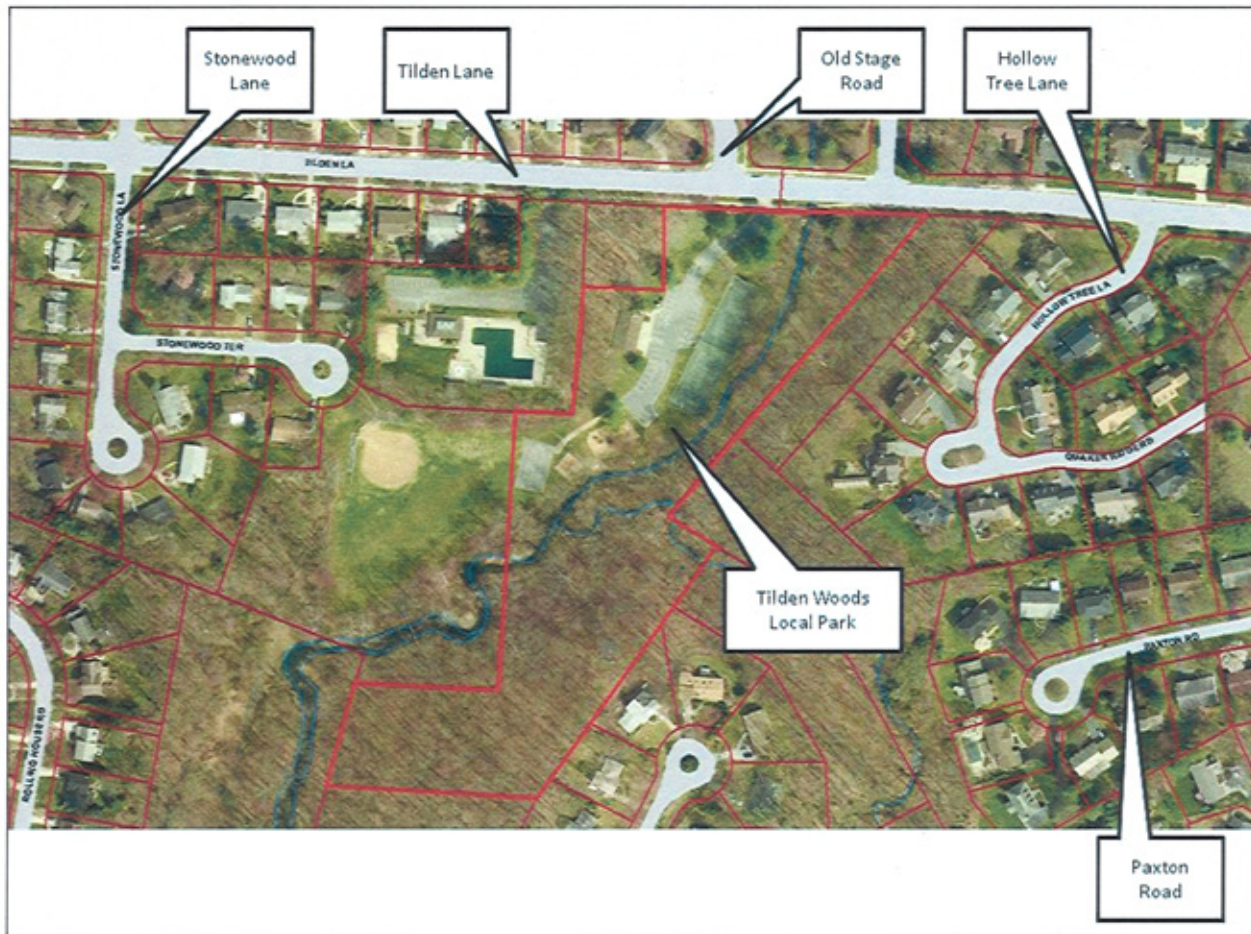


Figure 1: Vicinity Map

ENVIRONMENTAL INVENTORY

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) was submitted for the 7.60-acre site and approved by Environmental Planning staff on June 13, 2008. The property contains 4.11 acres of forest, two streams, and 2.75 acres of Stream Valley Buffer (SVB).

The topography of the property is generally flat with some gentle slopes leading to the stream channel in the middle of the site. The property lies within the Cabin John Creek watershed, a Use Class I stream, specifically draining to the Old Farm Branch Tributary. The Old Farm

Branch tributary is considered to be in fair condition based on Montgomery County Department of Environmental Protection's 2003 stream quality update.

The vegetative cover on the site is a mix of active parkland with turf grass and forest on the south side of the property with numerous specimen sized trees that are 24" DBH or larger.

FOREST CONSERVATION

The preliminary forest conservation plan indicates no forest or specimen tree removal. Although the subject property is 7.60 acres in size, the actual work area for the project is only 0.13 acres. The project proposes no forest removal. The forest retained with the park property is considered saved and protected because the property is existing parkland therefore no afforestation requirements are generated.



Figure 2: Close-up of Work Area

Forest Conservation Variance

In following the directives of the Maryland State Senate Bill 666 (SB 666) the applicant is required to file an application for a variance to remove trees that are 30" DBH and greater or trees that are 75% the diameter of the county champion for that species. SB 666 became effective on October 1, 2009. If a project did not have approval of a Preliminary Forest Conservation Plan by that date then a variance to remove large trees must be filed with the Planning Board.

No trees 30" Diameter at Breast Height (DBH) or 75% of the state champion have been proposed to be removed. Therefore a variance is not required.

RECOMMENDATION

Staff recommends that the Planning Board approve this forest conservation plan with the conditions specified above.