



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

Item #  
MCPB 11-19-09

**MEMORANDUM**

**DATE:** November 6, 2009

**TO:** Montgomery County Planning Board

**VIA:** Catherine Conlon, Supervisor, *CC*  
Development Review Division  
Mark Pfefferle, Acting Chief, Environmental Planning *MP*  
Stephen Federline, Master Planner, Environmental Planning *SF*

**FROM:** Richard A. Weaver, Planner Coordinator *RAW*  
Development Review Division  
Marco Fuster, Senior Planner *MF*  
Environmental Planning

**REVIEW TYPE:** Limited Amendment to the Preliminary Plan, including associated Final Forest Conservation Plan (FCP) – Removal of Existing Category I Conservation Easement

**APPLYING FOR:** Amendment to a Preliminary Plan and Final Forest Conservation Plan (FCP)

**PLAN NAME:** Kentsdale Estates (Lot 41)

**PLAN NUMBER:** 11997056A

**PLAN TYPE:** Preliminary Plan Amendment and Final Forest Conservation Plan Amendment

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

**ZONE:** RE-2

**LOCATION:** Located on the east side of Willowbrook Drive at its intersection with Paytley Bridge Lane; Potomac.

**APPLICANT:** Roma Malkani c/o Fountain View

**ATTORNEY:**

**HEARING DATE:** November 19, 2009

**STAFF RECOMMENDATION:** Denial of the Limited Amendment to the Preliminary Plan and associated changes to the Final Forest Conservation Plan and Existing Category I conservation easements.

## SITE DESCRIPTION

The subject property shown outlined below is Lot 41, Kentsdale Estates, a 4.09 acre lot within a 20.1-acre subdivision of seven lots located on Willowbrook Drive East of Paytley Bridge Lane in Potomac. Immediately to the east of the subdivision are lots developed in the R-200 zone. Lots platted in the RE-2 zone surround the subdivision to the north, west and south. The Property is within the Cabin John Creek watershed, use I-P waters. There are no streams, wetlands, floodplains, or associated environmental buffers located on the subject lot. However, as is common with many subdivisions, ephemeral drainage flows from the lots upslope, through the subject lot. Presently the subdivision contains one residence and new home construction on the adjacent Lot 44 which is currently underway. The footprint of the existing forest conservation easements are shown by the highlighted areas in the image below.

**Exhibit 1: Vicinity Map**



Top of image is oriented north.



## BACKGROUND

The Property is subject to a previously approved preliminary plan of subdivision and an approved final forest conservation plan (FFCP). The Planning Board approved preliminary plan 119970560, Kentsdale Estates, in a public hearing held on May 22, 1997; the Opinion was mailed on May 28, 1997. Environmental Planning staff approved the FFCP on July 31, 2001. The existing approved FFCP for the subject lot shows a disturbed area of approximately 2.60 acres on the 4.09 acre lot based on a limit of disturbance (LOD) which protected all the conservation easement areas. Development within the LOD included a 20,000 square foot home footprint, a significant amount of driveway surface, and associated sediment control measures, all located outside the easement areas. The record plat formalizing the subdivision was approved on March 27, 2001 and contains the signature of the current applicant, Roma Malkani.

A separate amendment to the FFCP was approved on December 7, 2006 to shift the locations of conservation easements on adjacent Lot 44. A house on Lot 44 is currently under construction. Staff notes that, in contrast to the current proposal, the Lot 44 amendments resulted in *no net loss* of conservation easement either on lot (Lot 44) or onsite (for the overall subdivision).

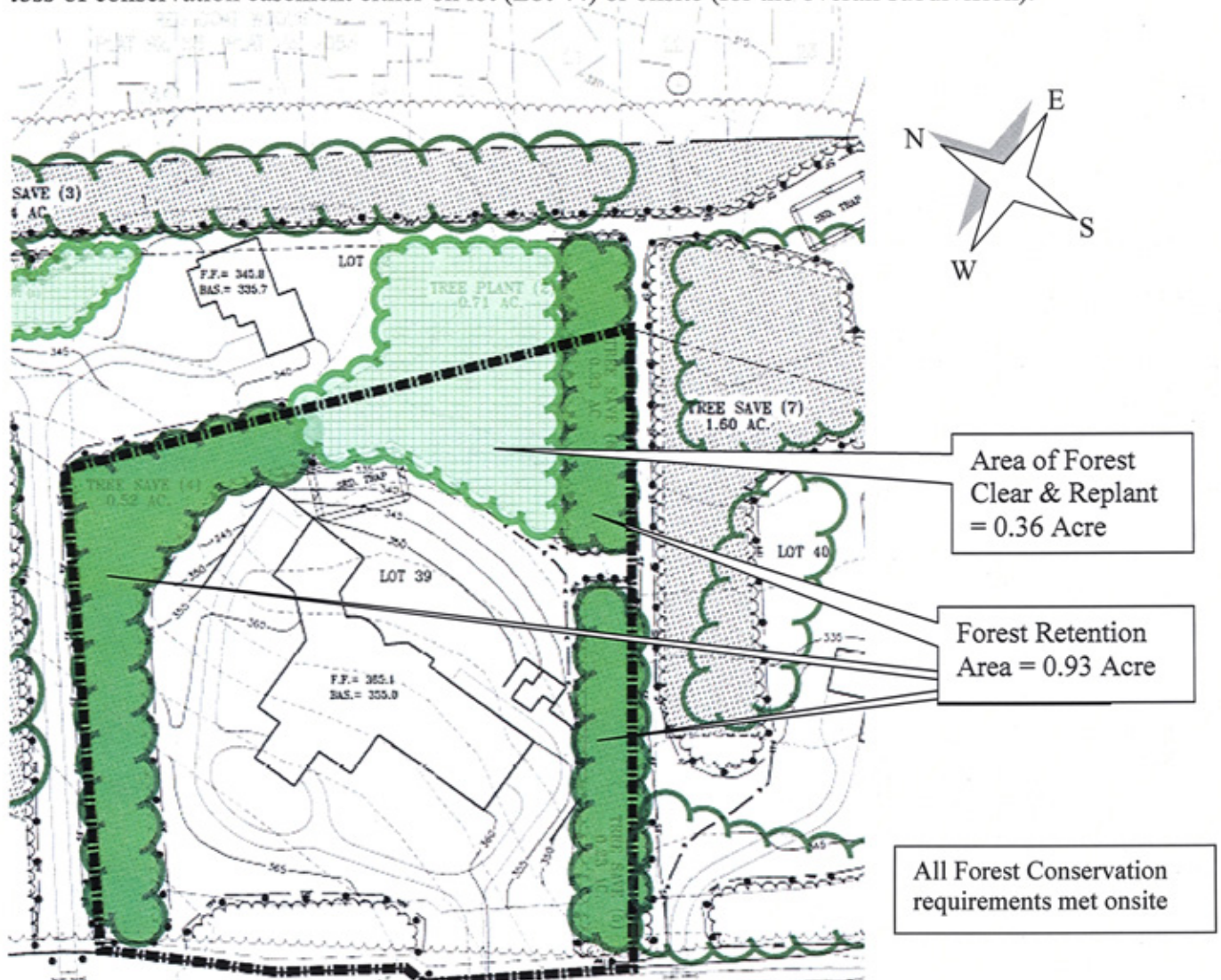
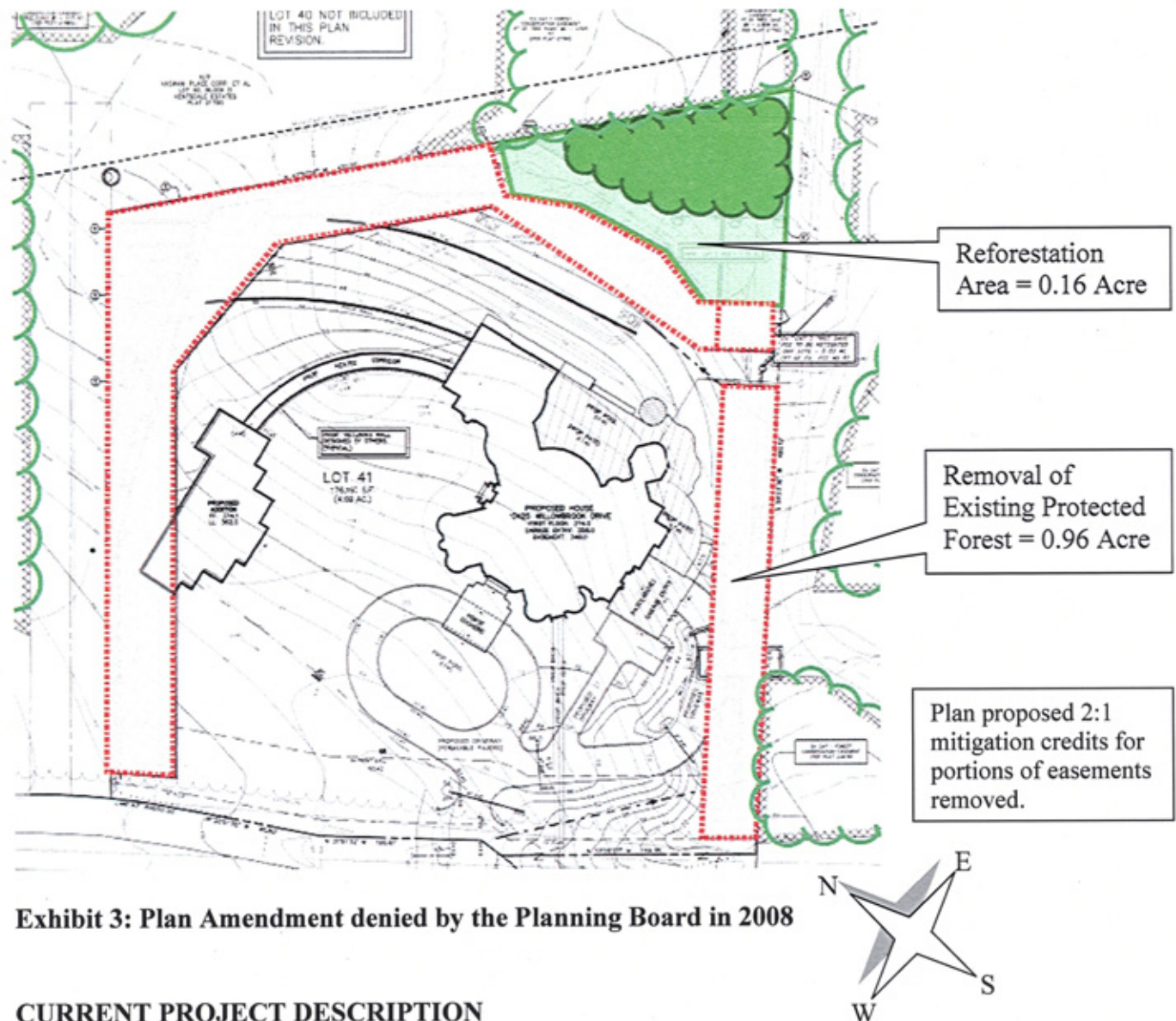


Exhibit 2: Existing Approved Plan and associated Category I conservation easements



Ms. Malkani filed a previous amendment request on September 3, 2008 to remove the majority of the Category I easements from Lot 41 and compensate with offsite mitigation at a 2:1 credit ratio. The Planning Board **denied** that request at a public hearing November 13, 2008 (see image immediately below and Attachment A- Planning Board Resolution.

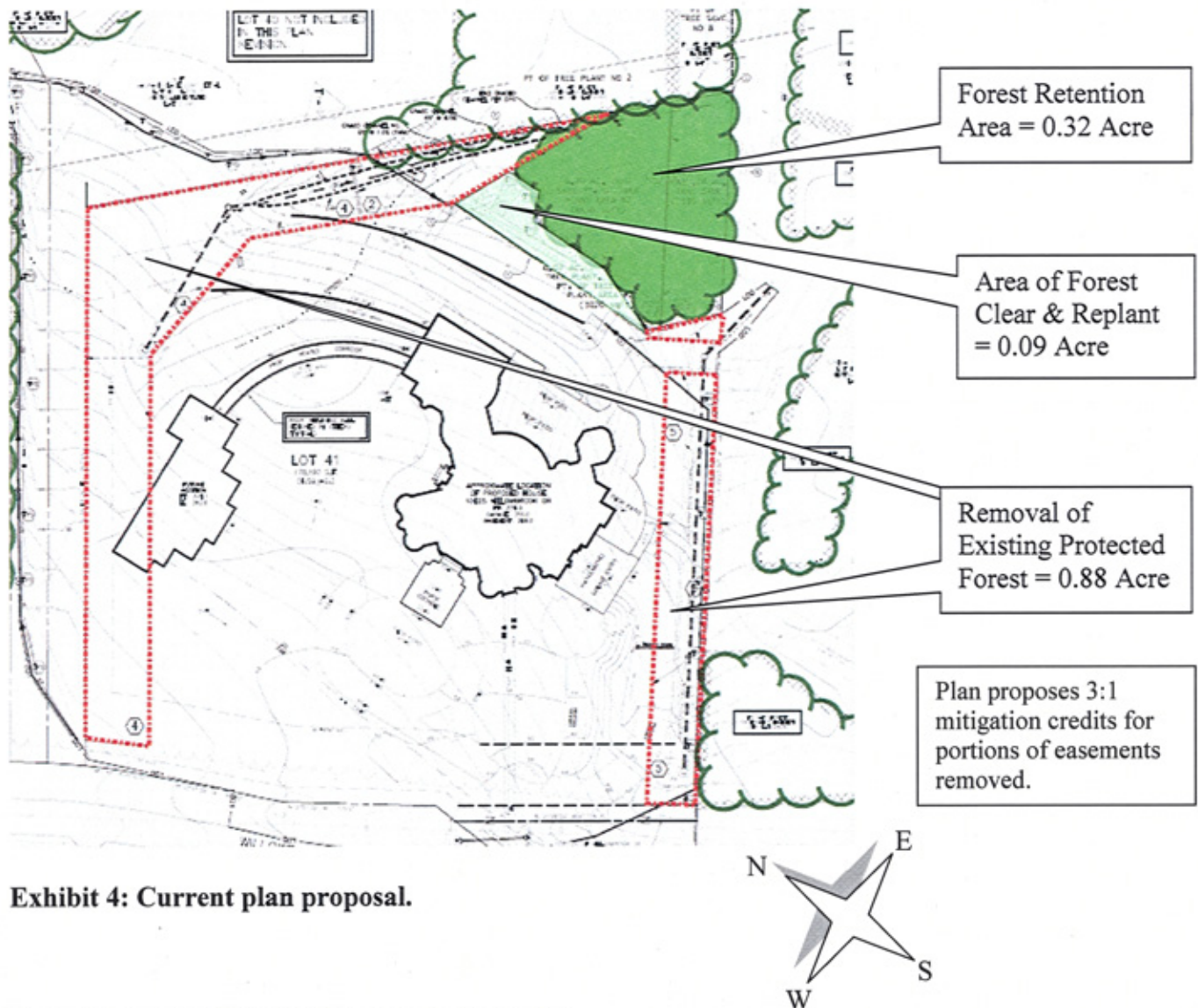


**Exhibit 3: Plan Amendment denied by the Planning Board in 2008**

## CURRENT PROJECT DESCRIPTION

The current amendment request also applies to the 4.09 acre Lot 41. The approved FFCP, and the associated record plat, ascribes approximately 1.3 acres of Category I forest conservation easement to Lot 41. The 1.3 acres of existing conservation easements consist of approximately 0.93 acres of tree/forest preservation and approximately 0.36 acres of reforestation.<sup>1</sup> The reforestation planting is designated within portions of the easement footprint that are permitted to be cleared and reforested by the previous approval, for undefined purposes.

<sup>1</sup> While staff has endeavored to confirm all acreages cited in this report from information provided, all should be considered approximate until validated by the seal/signature of the applicant's engineer or surveyor.



**Exhibit 4: Current plan proposal.**

## PLANNING BOARD REVIEW AUTHORITY

The Forest Conservation Regulations require Planning Board action for certain types of modifications to approved forest conservation plans. Section 113.A.(2) of the Forest Conservation Regulations states:

*Major amendments which entail more than a total of 5000 square feet of additional forest clearing must be approved by the Planning Board or Planning Director (depending on who approved the original plan). Notice of each major plan amendment must be given to adjacent property owners as part of the Planning Board or Planning Director approval processes.*

This amendment proposes more than 5,000 square feet of additional forest removal when compared to the original plan and, therefore, qualifies as a major amendment. Since the forest conservation plan was approved as part of a preliminary plan of subdivision, the Planning Board must act on the plan amendment.



## PROPOSED FOREST CONSERVATION PLAN CHANGES

### Applicant's Position

On January 30, 2009 the applicant submitted a request for a Limited Amendment to the Preliminary Plan to amend the associated Forest Conservation Plan and remove certain existing conservation easements. The amendment applies only to existing Lot 41.

In order to accommodate the proposed 20,000 square house, a residential wing addition, SWM requirements, public and private storm drain systems, and associated grading, the applicant proposes to eliminate approximately 0.90 acres (38,000 square feet) of the current 1.3 acres of onsite Category I conservation easement. The applicant proposes to compensate for the removal of the easements with a combination of an additional 0.20 acres of forest *retention* in a conservation area that could be cleared and reforested per the approved FFCP, replanting of 0.09 acres of easement after it is used for sediment control, and the purchase of offsite forest mitigation bank credits at a rate of three times (3x) the acreage of the easement being removed. The total remaining forest conservation easement under the applicant's proposal would be 0.41 acres in size.

In justification of this request, the applicant notes that the removal of conservation easements are necessitated, in part, by the need for a public storm drain easement, provision of SWM control and safe conveyance through Lot 41, and construction of a sediment and erosion control trap to accommodate on and offsite grading (i.e., for driveway access to the two rear lots). The applicant purports that in order to accommodate the desired home, wing addition, grading and sediment traps in the desired locations, no additional forest can reasonably be saved.

### Staff's Position

Staff's review of this application was based on the Planning Board's direction on the previous review of this site. In the Resolution on the previous action, the Planning Board offered the following:

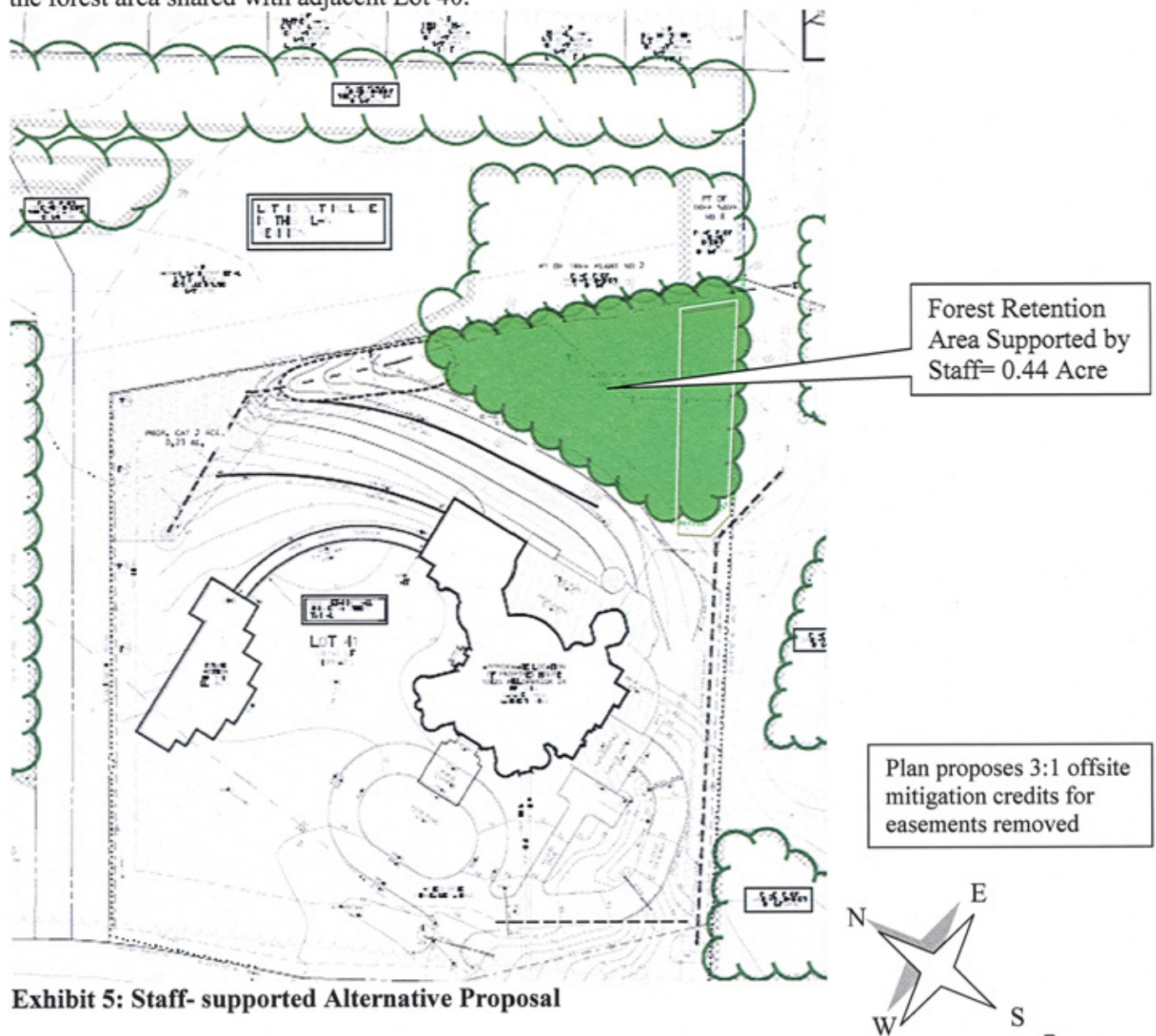
*The scope of changes proposed by the amendment to the approved Final Forest Conservation Plan are unnecessary and excessive... Reasonable efforts were not made to protect the specific areas of forest as originally approved, nor have reasonable efforts been made to alter the development proposal. Alternative designs could be implemented to minimize impacts and provide features which are more compatible with forest conservation objectives "...*

*"The proposed amendment to the approved Final Forest Conservation Plan does not provide mitigation that is at least equal to or better than the forest conservation objectives met in the existing approved Forest Conservation Plan."*

In the current review, staff does not believe that all reasonable efforts have been made to minimize impacts and provide appropriate in-kind mitigation on the lot. In fact, the development proposed for the site is substantially unchanged from that proposed in the previously denied application, except that an additional 0.20 acres have been shown as "tree (forest) save" rather than "tree (forest) plant" in the eastern corner of the site. Overall, Staff finds this proposal unacceptable and not in keeping with the Board's earlier directives to this applicant.

Furthermore, the applicant has failed to meet the burden of persuasion that compensation is “At least equal to or better than the forest conservation objectives” than is provided by the current easements. Moving to offsite compensation at any ratio is unacceptable when viable unrealized opportunities exist onsite.

To move this application forward, staff proposed a compromise package on June 8, 2009 which recognizes that some changes to the existing easements may be justified, but requires a minimum level of onsite *quid-pro-quo* in-forest save to attain staff support (see Exhibit 5 below). Staff recommended that the applicant save the highest quality existing forest in the eastern corner of the site (shown as cleared and reforested on the existing FFCP) in partial return for replacing other viable forest proposed for removal at the periphery of the Property. To accomplish this objective, the plan must be amended to move all disturbance associated with development of the site sufficiently away from the forest for its protection. This would mean moving the sediment and erosion control pond uphill (likely requiring a change in house location and/or its proposed grading), and re-evaluating the SWM/safe conveyance concept to maximize forest protection in the forest area shared with adjacent Lot 40.



**Exhibit 5: Staff- supported Alternative Proposal**

The preservation of additional acreage of existing forest as shown on Exhibit 5 above would provide numerous benefits which staff believes would meet or exceed the value of the currently approved FFCP covering that easternmost conservation easement area. The benefits of additional forest retention in this area include:

- Saving additional forest here expands the amount of contiguous forest within the subdivision, consistent with Forest Conservation Regulations (FCR) Section 107.A.(2).
- Preserves highest quality forest onsite which exhibits good forest structural diversity and minimal invasives, consistent with FCR Section 107.B.(4).
- Retains forest in an area which will further enhance SWM practices upstream by protecting natural ground surfaces which in turn increases water infiltration and nutrient uptake.
- Retains existing forest which will buffer offsite Lots 22 & 23 along Great Arbor Drive. (See top right side of Exhibit 2). Preservation of trees which act as buffer between dwellings is referenced in FCR Section 107.B.(3).
- Provides a clearly more sustainable and enforceable area of protected forest over time.

Staff recognizes that existing conservation easements must be respected for what they are, that is, a perpetual restriction of what can and cannot occur within the easement area, regardless of when the easement was created. Today's standards, which may or may not view all of the existing easements as desirable, cannot be used to invalidate the existing easements. The property owner, heirs and assigns are required to comply with the terms of that easement which, in this instance were personally established by the applicant as shown on record plat #21790. Staff has provided a detailed analysis of each section of onsite easement in Attachment B.

## **NOTIFICATION AND COMMUNITY COMMENT**

The subject property was properly posted in conformance with the Development Manual requirements. All adjoining and confronting property owners and interested parties will be notified of the public hearing on the proposed amendment in accordance with Planning Board policy. Any comments received will be forwarded to the Board. Residents who had either provided testimony at the November 13, 2008 hearing or who previously expressed concerns to Planning Department staff are also included in the notification. No citizen correspondence has been received to date for inclusion in the staff report. However, a number of written correspondences from adjacent residents regarding the previous proposal were retained on file. Many of the concerns previously expressed are relevant to the current proposal. The concerns included excessive deforestation, loss of screening/visual buffers, encroachment into protected easements, and the offsite replacement of existing onsite resources.

## **Summary and Recommendations**

Staff recommends denial of the applicant's request and most recent proposal to amend the final forest conservation plan 11997056A, and its associated Category I conservation easements. Environmental Planning staff does not concur with the applicant's position that the amount of



permanent forest/easement removal (0.90 acres of the existing 1.30 acres, or two thirds of the conservation easements) is necessary and/or unavoidable to accommodate development of the lot, and staff does not believe that the compensation proposed provides greater public benefit than what the easement currently provides. Furthermore, the proposed easement elimination on Lot 41 reduces the offsite forest fragments on adjoining Lot 40 to sizes well below acceptable forest minimums.

The applicant has not met staff's recommendations for support as described above. The applicant has not demonstrated that reasonable efforts to re-design to avoid encroachment have been examined, and must; therefore [under Forest Conservation Regulations Sec.108.B.(1)] explain to the satisfaction of the Planning Board how retention techniques have been exhausted. Additionally, per the previous Planning Board resolution, the applicant must explain how their current application addresses the shortcomings for which the Planning Board denied the previous application.

For all the reasons cited above - including but limited to the avoidable loss of contiguous quality forest; significant loss of forest resources without adequate compensation onsite; and lack of reasonable effort to alter the development proposal – staff does not support the amendment.

## **ATTACHMENTS**

Attachment A – Planning Board Resolution

Attachment B – Detailed explanation and Exhibit of proposed changes to Category 1 easements

Attachment C – Applicant's Justifications



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

**MCPE No. 09-102**  
**Forest Conservation Plan No. 119970560**  
**Kentsdale Estates**  
**Date of Hearing: November 13, 2008**

**OCT - 9 2009**

**MONTGOMERY COUNTY PLANNING BOARD**

**RESOLUTION**

WHEREAS, pursuant to Montgomery County Code Chapter 22A, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review certain amendments to approved forest conservation plans; and

WHEREAS, on September 3, 2008, Roma Malkani ("Applicant"), filed an application for approval of an Amendment to a Final Forest Conservation Plan that would remove portions of existing Category I Forest Conservation Easement Areas on a 4.09 acre property located on Willowbrook Drive east of Payley Bridge Lane ("Property" or "Subject Property"), in the Potomac Subregion Master Plan area ("Master Plan"); and

WHEREAS, Applicant's forest conservation plan application was designated as an Amendment to Final Forest Conservation Plan No. 119970560, Kentsdale Estates ("Final Forest Conservation Plan" or "Application"); and

WHEREAS, Staff issued a memorandum to the Planning Board, dated October 31, 2008, setting forth its analysis, and recommendation for denial, of the Application ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staff of other governmental agencies, on November 13, 2008, the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on November 13, 2008, the Planning Board denied the Application, on motion of Commissioner Cryor, seconded by Commissioner Alfandre; with a vote of 5-0, Commissioners Hanson, Robinson, Alfandre, Cryor, and Presley voting in favor of staff recommendation for denial of the Forest Conservation Plan Amendment.

Approved as to  
Legal Sufficiency

*Christina Sout* 8/31/09

833 Georgia Avenue, NW, Suite 400, Washington, DC 20001-4242 Chairman's Office 202.462.6005 Fax 202.462.1130

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MCPE 09-102-001



MCPB No. 09-102  
Forest Conservation Plan No. 119970560  
Kentsdale Estates  
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NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 22A and Forest Conservation Regulations Section 113, the Planning Board denied the Application that would remove portions of existing Category I Forest Conservation Easement Areas on a 4.09 acre property located on Willowbrook Drive east of Paytley Bridge Lane. ("Property" or "Subject Property"), in the Potomac Subregion Master Plan area ("Master Plan");

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff, which the Board hereby adopts and incorporates by reference and upon consideration of the entire record, the Montgomery County Planning Board FINDS that:

1. *The scope of changes proposed by the amendment to the approved Final Forest Conservation Plan are unnecessary and excessive.*

The proposed Application for permanent removal of existing forest and associated modifications to existing Category I Forest Conservation Easement Areas are excessive and avoidable. Reasonable efforts were not made to protect the specific areas of forest as originally approved, nor have reasonable efforts been made to alter the development proposal. Alternative designs could be implemented to minimize impacts and provide features which are more compatible with forest conservation objectives. Therefore, the Board finds that the proposed amendment is unnecessary and excessive.

2. *The proposed amendment to the approved Final Forest Conservation Plan does not provide mitigation that is at least equal to or better than the forest conservation objectives met in the existing approved Forest Conservation Plan.*

The existing Final Forest Conservation Plan provides approximately 1.3 acres of Category I Forest Conservation Easement on the Subject Property, approximately 0.93 acres of which is tree/forest preservation, and 0.36 acres of reforestation. The Application proposes to reduce the conservation easement footprint to an approximate total of 0.35 acres, consisting of 0.19 acres of tree/forest preservation and 0.16 acres of reforestation. The Application would retain almost 1 acre less in forest conservation easement than approved by the Planning Board as shown on the current Final Forest Conservation Plan. The Board determined that the offsite mitigation offered by the Applicant was not enough to make up for this loss. Therefore, the Board finds that the Application does not provide mitigation that is at least equal to or better than the forest

Attachment A – Planning Board Resolution (3 of 3 pages)

MCPB No. 09-102  
Forest Conservation Plan No. 119970560  
Kensdale Estates  
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conservation objectives met in the existing approved Forest Conservation Plan.

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter and the date of this Resolution is Oct - 9 2009 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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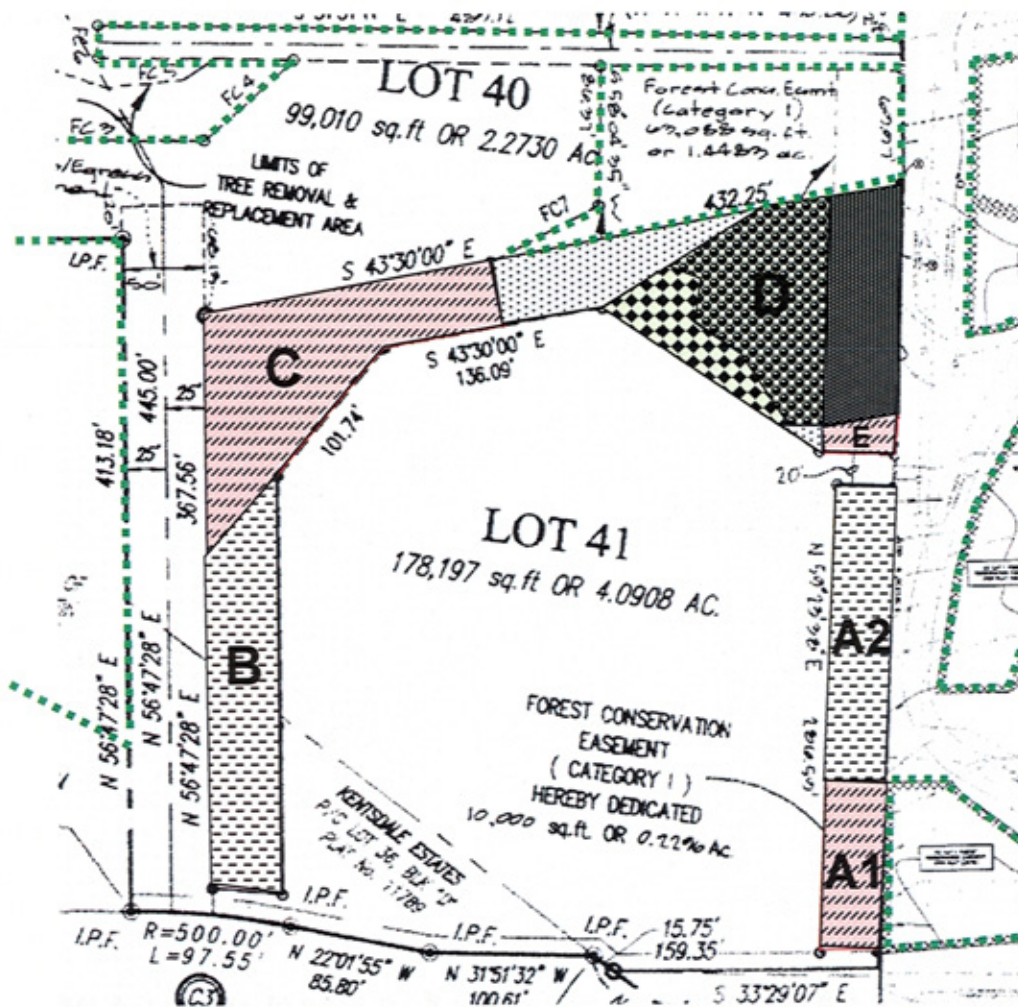
**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Wells-Harley, seconded by Commissioner Presley, with Commissioners Hanson, Alfandre, Presley, and Wells-Harley voting in favor of the motion, and with Commissioner Cryor absent, at its regular meeting held on Thursday, September 10, 2009, in Silver Spring, Maryland








  
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Royce Hanson, Chairman  
Montgomery County Planning Board



Detailed Explanation and Exhibit of proposed changes to Category 1 easements



LEGEND KEY

-  - Permanent removal of forest retention area that meets current standards
-  - Permanent removal of forest retention (not meeting current standards)
-  - Permanent removal or reforestation area that meets current standards
-  - Reforestation area per existing plan
-  - Retention of forest originally approved for removal and reforestation
-  - Retention of forest per existing plan
-  - Existing conservation easements (off-lot)

Attachment B – (2 of 2 pages)

Staff offers the following discussion about each of the existing conservation easements (CE), as defined in the above graphic, its intrinsic value and viability short and long term, along with staff's basis for recommended compensation:

CE Area A (the southern wing): the 0.23 acre easement is appropriate for compensation as the forest would be displaced as part of a necessary public storm drain improvement conveying offsite runoff from Paytley Bridge Lane downstream through this development to the existing Trotter's Trail public storm drain. While displacement is necessary, the value of existing forest within this area varies. Area A-1 adjoins existing protected forest on Lot 44, and thus has added value as part of a larger contiguous forest area. This area should be compensated for onsite. The remnant CE – Area A-2 – would also be impacted by the public storm drain. Staff supports offsite compensation for Area A-2.

CE Area B (the western wing): the 0.23 acre portion of a larger easement is also appropriate for compensation, although the basis is not based on public necessity as in Area "A". Forest in Area B would be impacted by driveway construction and utilities serving the rear two Lots 39 and 40, and significant changes in the natural drainage patterns. The relatively narrow strip is also affected by on-lot grading associated with proposed construction of on a residential wing addition. Offsite compensation is appropriate, but only if combined with the added protection of more valued and sustainable forest in the easternmost corner.

CE Area C (the northern triangle): the 0.30 acre portion of easement here is also affected by driveway and utility construction, but is more significantly impacted by the applicant's proposal to divert natural storm drainage patterns via a private piped system, and to provide SWM in an engineered swale through this forested easement area. This forest is viable long term, except for the applicant's proposal to change the natural drainage to accommodate the site's development. Staff further believes that the primacy of the existing conservation easement stipulating saved forest in this area should have required alternatives to site design to be further examined by the applicant. Compensation for this area should be onsite through added forest save.

CE Area D (the entire eastern corner): the remaining 0.44 acres (as shown in Exhibit 5) is the area of the best onsite forest, and has the greatest onsite forest value and sustainability as part of an adjoining contiguous forest. It should be saved to the maximum extent possible.

CE Area E (adjacent to Area D): portions of the proposed permanent removal of forest retention area unnecessarily extend beyond the public storm drain easement (shown on plan submission). The area is part of the best forest on site and should also be saved to the maximum extent possible.





Lot 41 = 4.09 Acres  
**Update & Removal of FCEs for DPS Requirements**  
 (Acres & Percentages)

1997 FCE Number	1997 FCE Acres on Lot 41	1997 (%) of Lot 41	UPDATE (Ac) Areas Not within FCE Standards	UPDATE (%)	REMOVAL (Ac) Due to DPS Requirements, Record Plat Restrictions	REMOVAL (%)	2009 FCE Acres Lot 41 <b>0.33 Ac. Tree Save</b>	2009 FCE (%) of Lot 41
5 (TS)	0.23	5.62%	0.23	5.62%				
8 (TS)	0.172	4.21%			0.032	0.79%	0.14 Tree Save	3.42%
2 (TP)	0.38	9.29%			0.11	2.69%	<b>0.27 Tree Save=0.20 Tree Plant=0.07</b>	6.60%
4 (TS)	0.52	12.71%	0.52* [Grading on 0.21]	12.71%				
<b>Total</b>	<b><u>1.302 Ac. FCE Acres</u></b>	<b><u>31.83%</u></b>	Staff Accepted <b><u>0.75 Ac.</u></b> ***	<b><u>18.33%</u></b>	Staff Accepted <b><u>0.142 Ac.</u></b> ***	<b><u>3.48%</u></b>	Staff Accepted approx. 0.44 <b><u>0.41 Ac.</u></b> ***	<b><u>10.02%</u></b>

11/12/08

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**Details of Retention & Plantings of 2009 FCEs**  
 (Square Footages & Percentages)

1997 FCE Number	<b><u>EASTERN CORNER ENHANCED 24% IN FCE VALUES</u></b> 2009 Tree Plant FCE Acres 0.38 Acres (Designated for Sediment Control) Tree Save FCE Acreage 0.38/2 = 0.19 Acres Available FCE Acreage=0.41 Acres	2009 FCE (%) of Lot 41
#8 Tree Save (TS)	0.14 Ac. (TS) Designated in 1997 as Tree Save Area (5885 Sq. ft.)	3.42%
#2 Tree Plant (TP)	0.27 Ac. (TP) Designated in 1997 as Tree Plant Area for Sediment Control Retention 0.20 Ac. (8650 Sq. Ft.) Plantings 0.07 Ac. (3020 Sq. Ft.) <u>Equates to:</u> (0.20 x 2) + 0.40 = 0.40 Tree Plant <u>Plus</u> 0.07 Tree Plant = 0.47 Tree Plant Acres	6.60%
<b>Total</b>	<b><u>0.41 Ac. (Enhanced to equate to 0.612 Acres of FCE)</u></b> <b><u>Enhanced FCE Value by 24%</u></b>	<b><u>10.02%</u></b> <b><u>Enhanced to 15%</u></b>

11/12/08

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Resolution formalizing Board's action of November 13, 2008  
Approved on September 10, 2009.

**Board Position**

1. Permanent removal of existing forest and associated modifications to existing *Category I Forest Conservation Easement Areas* are excessive and avoidable..
2. Reasonable efforts were not made to protect the specific areas of forest as originally approved, nor have reasonable efforts been made to alter the development proposal.
3. Alternative designs could be implemented to minimize impacts and provide features which are more compatible with forest conservation objectives.

**Applicant's Response**

97% of the Tree Save Area in the Eastern Corner is being retained – 3% is for County Storm Drain. 70% of the tree Plant Area, designated for Sediment Control purposes, is being enhanced by 24% . Therefore permanent removal is for only 0.032 Acres of Tree Save #8.

Significant efforts to maintaining & enhance, resulting in 4-acre Drainage Area, requiring a 15,450 sq. ft. Sediment Trap implemented with only 3020 sq. ft. of FCE Area.

The above has been achieved as a result of altering the designs & development proposal.



Resolution formalizing Board's action of November 13, 2008  
Approved on September 10, 2009.

**Staff Position**

These are a combined package: Staff can support extinguishing the two other areas of easement, and allow compensation offsite, but only *upon condition* that the plan saves the most valuable, contiguous forest area.

**Applicant's Response**

- ☐ With the above redesigns, the Plan saves more than FCE Values available in the Eastern Corner, by significant enhancements.
- ☐ The FCE values have been enhanced by 24%;
- ☐ The equivalent Lot coverage has been enhanced by the FCE Values by 50%.

Significant time has been spent by Staff and Applicant with DPS to make these solutions possible. The area designated for Sediment Control was reduced by 75% to help provide enhanced retention, a significant increase in Retention, not expected before.

County Drain has been implemented by only a 3% impact to retention.